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2 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
3 REGION 5  
4 77 WEST JACKSON BOULEVARD  
5 CHICAGO, ILLINOIS 60604-3590  
6  
7

8 IN THE MATTER OF:

9 Stickney/Tyler SACM site  
10 3600 Stickney Avenue  
11 Dura Avenue Landfill  
12 Toledo, Ohio  
13

14 Deposition of ROBERT BENTON, a Witness  
15 herein, called by the U.S. EPA as it upon oral  
16 examination under the authority of Section  
17 122(e)(1)(B) of the Comprehensive Environmental  
18 Response, Compensation and Liability Act of 1980,  
19 the Superfund Amendments and Reauthorization Act  
20 of 1986 (CERCLA), taken before me, the undersigned,  
21 Philip M. Gaines, a Notary Public in and for the  
22 State of Ohio, pursuant to Notice and Agreement of  
23 Counsel as hereinafter set forth, at the offices  
24 of Gaines Reporting Service, 117 North Superior  
Street, 4th Floor, Toledo, Ohio 43604, on Monday,  
November 6, 1995, commencing at 11:00 A.M.

1 APPEARANCES:

2 On behalf of the U.S. EPA:

3 Sherry L. Estes  
4 U.S. EPA, Region 5  
5 77 West Jackson CS-29A  
6 Chicago, Illinois 60604-3590  
7 (312) 886-7164

8 On behalf of the Witness:

9 HERSHEL, ACCETOLA, BLOOM & ASSOCIATES  
10 BY: Charles E. Bloom  
11 Courthouse Block  
12 615 Adams Street  
13 Chicago, Illinois 60604-1419  
14 (312) 241-1150

US EPA RECORDS CENTER REGION 5



473094

1 ROBERT BENTON,

2 a Witness herein, after first being duly sworn to  
3 tell the truth, the whole truth and nothing but  
4 the truth, testified and said as follows:

5 EXAMINATION

6 BY MS. ESTES:

7 Q. Good morning, Mr. Benton, my name is Sherry  
8 Estes. I'm an attorney with the United  
9 States Environmental Protection Agency. We  
10 are here today pursuant to an  
11 administrative subpoena, under Section 122  
12 of CERCLA, Comprehensive Environmental  
13 Response Compensation and Liability Act.  
14 We are here to investigate waste  
15 disposal at the Stickney and Tyler  
16 Landfills here in Toledo, and possible also  
17 the Dura Landfill.

18 Do you understand my role in this  
19 deposition?

20 A. Yes.

21 Q. Are you currently employed by Waste  
22 Management, Inc.?

23 A. No.

24 Q. Are you represented by counsel, by counsel

1 representing Waste Management, Inc.?

2 A. No, I am not.

3 Q. You are represented by your own counsel  
4 here this day?

5 A. That is correct.

6 Q. Do you acknowledge having received a copy  
7 of a subpoena commanding your presence,  
8 actually commanding your presence on  
9 Tuesday, which was subsequently modified  
10 per your request to Monday?

11 A. I do.

12 Q. You were sworn in. Can you state what you  
13 understand about that? What do you  
14 understand your obligation to be?

15 A. My obligation in regards to the subpoena?

16 Q. And having been sworn in today.

17 A. Well, basically, to provide information in  
18 regards to the, any knowledge that I may  
19 have of the Dura Stickney/Tyler Street  
20 Landfill usage.

21 Q. Of course, being sworn in obligates you to  
22 tell the truth, the full truth in this  
23 matter?

24 A. That's correct.

1 Q. I'm going to ask you a series of questions.  
2 If you don't understand the question, I  
3 would like for you to stop me and I'll try  
4 to restate the question or rephrase the  
5 question. Is that fair?

6 A. That's fair.

7 Q. If you go ahead and answer the question,  
8 I'm going to assume that you understood it.  
9 Is that fair?

10 A. Yes.

11 Q. One other item about the deposition today.  
12 Because it is being recorded, you would  
13 need to speak up, and also you can't  
14 testify by means of gesture. You would  
15 have to state. You can't nod your head or  
16 shake your head or anything like that.  
17 Is there any question about that?

18 A. No.

19 Q. Can you state your full name and your  
20 address, please?

21 A. Robert H. Benton. Address is 5477 Bay  
22 Shore Road, Oregon, Ohio 43516.

23 Q. Mr. Benton, what is your education?

24 A. Relatively high school diploma, Rogers High

1 School, and two years of college at Capital  
2 University.

3 Q. Did you receive an associates degree?

4 A. No.

5 Q. Could you state your employment background?  
6 Did you start working right after you came  
7 out of college?

8 A. No, I did not.

9 Q. When did you first begin working?

10 A. I began working immediately upon my  
11 graduation from high school.

12 Q. When did you first start a business?

13 A. A business was started in the early 60's.

14 Q. What was the nature of your business?

15 A. It was residential trash collection.

16 Q. What was the name of the company?

17 A. It was called Benton Village Sanitation  
18 Service.

19 Q. What was your address?

20 A. 711 Angola Road, A-N-G-O-L-A, Holland,  
21 Ohio.

22 Q. Where?

23 A. Holland.

24 Q. Holland. Was this company incorporated?



<p style="text-align: center;">7</p> <p>1 A. It was a DBA.</p> <p>2 Q. Well, you were doing business as Benton Village Sanitation; so it was a sole proprietorship?</p> <p>3 A. Correct.</p> <p>4 Q. Did you have any experience in the disposal industry prior to starting your own company?</p> <p>5 A. No, I did not.</p> <p>6 Q. Did you at all ever work for your father in a salvage operation?</p> <p>7 A. I never worked for my father. My father picked up scrap from some of the landfills here in town. I simply was seven or eight years old at the time.</p> <p>8 Q. But you didn't, for instance, work for your father in high school?</p> <p>9 A. No.</p> <p>10 Q. What landfills did he run his salvage operation from?</p> <p>11 A. The Tyler Street Landfill.</p> <p>12 Q. Did he also operate on the Stickney Landfill?</p> <p>13 A. No.</p>	<p style="text-align: center;">10</p> <p>1 A. The same two people.</p> <p>2 Q. Were there any other stockholders?</p> <p>3 A. No.</p> <p>4 Q. Mr. Benton, where did you dispose of the garbage that you picked up?</p> <p>5 A. The bulk of my material was disposed of at the King Road Landfill.</p> <p>6 Q. Did you --</p> <p>7 A. With, let me finish -- with some of the material being disposed of at the Tyler and Dura Landfills.</p> <p>8 Q. Did you ever dispose of anything at the Stickney Avenue Landfill?</p> <p>9 A. Yes.</p> <p>10 Q. What did you dispose of at Stickney Avenue?</p> <p>11 A. Solid waste.</p> <p>12 Q. During the entire time that you operated Benton Village Sanitation, were your accounts only residential accounts?</p> <p>13 A. Residential and commercial.</p> <p>14 Q. What types of businesses did you have that were your commercial accounts?</p> <p>15 A. Plaza Hotel, restaurants, apartment complexes, schools, churches.</p>
<p style="text-align: center;">8</p> <p>1 Q. The Dura Landfill was not open at that time?</p> <p>2 A. That's correct.</p> <p>3 Q. Were there any other landfills locally that he ran his salvage operation from?</p> <p>4 A. No, he was basically working for a steel bailing corporation. He just simply transported the scrap metal that was salvaged out of the landfills to the scrap yard.</p> <p>5 Q. What were the approximate dates that he ran that operation?</p> <p>6 A. It would have to be in the middle 1950's.</p> <p>7 Q. How long did you operate your business, Benton Village Sanitation?</p> <p>8 A. Until late 1970.</p> <p>9 Q. What happened to the business at that time?</p> <p>10 A. It was sold to Waste Management.</p> <p>11 Q. It wasn't incorporated. So essentially, it wasn't dissolved or anything?</p> <p>12 A. Let's answer that question. When you first phrased that question, Benton Village Sanitation Service as a DBA, that was correct in the beginning stages of that</p>	<p style="text-align: center;">11</p> <p>1 Q. Did you maintain any industrial accounts?</p> <p>2 A. Jeep Corporation.</p> <p>3 Q. Did you have any other industrial accounts?</p> <p>4 A. No.</p> <p>5 Q. Did you operate an entity called Village Sanitation?</p> <p>6 A. That's, yes, that was Benton Village Sanitation.</p> <p>7 Q. Is that the same entity?</p> <p>8 A. Same entity.</p> <p>9 Q. Did you do business under both names?</p> <p>10 A. Not that I know; not that I'm aware of.</p> <p>11 Q. So all of your advertising material would be, have been under Benton Village Sanitation?</p> <p>12 A. I do not recall.</p> <p>13 Q. You don't remember ever using, for instance, placing an advertisement in the yellow pages under Village Sanitation?</p> <p>14 A. It, I do not know at this time. I don't have any records in front of me that indicate whether it was Benton's or Village at the time. All I know is that we did incorporate the company under Benton</p>
<p style="text-align: center;">9</p> <p>1 company. It was later incorporated, a few years later as the Ohio State, Secretary of State, can verify when that corporation took place in the middle 60's. But it was a corporation at the time that Waste Management acquired the stock of the company at that time.</p> <p>2 Q. Do you remember what year the company was incorporated?</p> <p>3 A. I believe it was 1967, '66.</p> <p>4 Q. Was it incorporated as Benton Village Sanitation?</p> <p>5 A. Yes, it was.</p> <p>6 Q. Who were the officers of that corporation?</p> <p>7 A. The officers were Robert Benton as President, and Christine Benton as Secretary/Treasurer.</p> <p>8 Q. What is Christine Benton's relationship to you?</p> <p>9 A. She was my wife at the time.</p> <p>10 Q. Were there any other officers?</p> <p>11 A. No.</p> <p>12 Q. Who were the stockholders of that corporation?</p>	<p style="text-align: center;">12</p> <p>1 Village Sanitation Service at a later date.</p> <p>2 Q. So there wouldn't have been a corporation named Village Sanitation?</p> <p>3 A. That is correct.</p> <p>4 Q. What was the -- excuse me, did you always operate from the 711 Angola address for Benton Village Sanitation?</p> <p>5 A. Well, until I moved up the block to 1212 Clark Street in Holland; same little town, Holland.</p> <p>6 Q. When did you move to 1212 Clark Street?</p> <p>7 A. I would say it would be 1965.</p> <p>8 Q. You moved to 1212 Clark prior to your incorporation?</p> <p>9 A. Correct.</p> <p>10 Q. It was a complete move? You didn't operate from both the 711 Angola address and the 1212 Clark address?</p> <p>11 A. No, the 711 Angola was my home, because I only had one vehicle and he operated out of my house. And my office always stayed at my home. It was just a maintenance garage at the 1212 Clark. We later, in 1969, moved to Willis Day Industrial Park in</p>

13		16	
1	Rossford, Ohio.	1	five miles of the King Road Landfill.
2	Q. Did you ever operate a business called	2	Four to five miles?
3	Superior Sanitation?	3	A. Uh-huh.
4	A. Yes, we did.	4	Q. Who operated the King Road Landfill?
5	Q. Was that business incorporated?	5	A. Lucas County.
6	A. No.	6	Q. Was there a private entity involved in
7	Q. What year did you start Superior	7	operating that?
8	Sanitation?	8	A. I believe that at some time in the
9	A. Superior would have been 1964.	9	landfills' history, they had a private
10	Q. What was the nature of this business?	10	contractor come in and attempt to run the
11	A. Strictly a residential trash pick up in the	11	landfill for a short period of time.
12	Springfield Township area.	12	Q. Do you know the name of that contractor?
13	Q. Why did you have two separate names?	13	A. Orville Bevil.
14	A. At that time, it was felt that our company	14	Q. Did Mr. Bevil have a company, or what name
15	may have a conflict with somebody else	15	did he do business under?
16	using the name Village or Benton Village.	16	A. I don't know the name of the company that
17	So we used that name until we could clarify	17	he did business under. I know the
18	that we could actually use our own name. I	18	individual.
19	think you'll find that we desisted using	19	Q. What exactly was Mr. Bevil's role at the
20	that name shortly thereafter.	20	King Road landfill?
21	Q. What was the nature of the concern about	21	A. He was the general manager. That was
22	using the name Benton Village Sanitation?	22	during the time of the private contractor
23	A. Somebody had supposedly already, basically	23	running the King Road Landfill.
24	had incorporated a similar name, and we	24	Q. Approximately what years were that?
14		17	
1	would have been infringing on their name.	1	A. I would say that was in the middle '60's;
2	Q. Do you know who had incorporated that	2	'66, '67, '65.
3	entity?	3	Q. Did you have any type of business
4	A. No, I don't. My attorney at the time was	4	relationship with Mr. Bevil?
5	John Wagner, and he was the one that	5	A. No, I did not.
6	instructed me in that area.	6	Q. At a certain point, you began advertising
7	Q. How long did you cease using the name,	7	that you also hauled for industrial
8	Benton Village Sanitation?	8	accounts; did you not?
9	A. I, two years. I'm assuming, I'm estimating	9	A. Uh-huh, correct.
10	two years.	10	Q. Approximately when did you advertise
11	Q. So approximately from 1964 to 1966, you	11	regarding industrial accounts?
12	operated under the name Superior	12	A. Oh, early on. I think what we -- in our
13	Sanitation, and did not use the name Benton	13	original displays, we incorporated
14	Village Sanitation?	14	industrial in there, even though we weren't
15	A. Until we were incorporated, right. Until	15	capable of really handling any industrial
16	we got our formal incorporation, whenever	16	accounts, we added it to our promos. I
17	the incorporated took place. I don't know	17	would say in the early '60's.
18	exactly when, but I think it's in that	18	Q. So despite the fact that you advertised for
19	approximate area that you're talking about.	19	industrial accounts, you never handled
20	Q. You had said '66 or '67?	20	industrial accounts, with the exception of
21	A. Correct.	21	Jeep?
22	Q. How many trucks did you have when you	22	A. Not in the early 60's, and I didn't have
23	first went into business as Benton Village	23	Jeep in the early 60's either.
24	Sanitation?	24	Q. When did you start advertising about having
15		18	
1	A. On what particular date?	1	an engineered program of waste disposal?
2	Q. When you first started the business, and	2	A. I would say that would be the late 60's.
3	you said sometime in the early 60's.	3	Q. Were those ads placed by Benton Village
4	A. Had one truck.	4	Sanitation?
5	Q. Can you estimate how you -- what type of	5	A. To the best of my knowledge.
6	truck was that?	6	Q. What did you mean by, an engineered program
7	A. It was an open type farm truck.	7	of waste disposal?
8	Q. About how big?	8	A. That was where I or a sales person would
9	A. Twelve cubic yards.	9	analyze the waste handling techniques of
10	Q. How many of waste would you take on most	10	industrial accounts to make a intelligent
11	days to either the King Road Landfill or	11	presentation as to the best way to handle
12	one of the other landfills?	12	their solid waste.
13	A. In the early days, I used to go like every	13	Q. What types of advice would you give to a
14	two days, because I never had enough volume	14	client? Say, do you remember any advice
15	to fill the truck up. And in those days, I	15	that you might have given to Jeep, for
16	used exclusively the King Road Landfill, in	16	instance?
17	the early days. I didn't have any	17	A. Well, Jeep, at the time, had a very archaic
18	commercial accounts in the Toledo area at	18	way of handling their refuse program. We
19	that time.	19	basically analyzed various buildings that
20	Q. Is Holland west of Toledo?	20	waste were coming out of, and utilized the
21	A. That's correct.	21	equipment that they had to bring it to a
22	Q. Your offices were near the King Road	22	centralized compaction system.
23	Landfill?	23	Q. Why do you call their method of handling of
24	A. Well, not near, but we were within four or	24	waste, archaic? What did they do?

<p style="text-align: center;">19</p> <p>1 A. In the early days, they were simply just 2 hauling it in little gondolas and dumping 3 it across the street from the plant. 4 Q. Could you give an approximate time period, 5 please? 6 A. It was in the, I'd say, '63, '64. 7 Q. What was the manner in which you suggested 8 that they change their disposal practices? 9 A. That they basically were under some 10 pressure to cease the open dumping that 11 they were doing, and that they were looking 12 for alternatives, and the alternative was 13 to bring this to a centralized, mechanized 14 compaction site, utilizing a building that 15 they had in the facility, and the same 16 gondolas they were using to dump across the 17 street would be used to dump into this 18 compaction facility. 19 Q. This was the facility that was constructed 20 by Jeep? 21 A. That's correct. 22 Q. Did you consult with Jeep on how the 23 facility should be constructed? 24 A. We gave them some input, yes.</p>	<p style="text-align: center;">22</p> <p>1 A. Don't know at that time. 2 Q. You have no idea? 3 A. No. This was simply start up of, trying to 4 put some program together to at least start 5 collecting the solid waste out of their 6 facilities. 7 Q. You started with one truck; how quickly did 8 your business expand to? You know, several 9 trucks, five trucks? 10 A. I would say over the, from '63 to '67, we 11 acquired five or six more vehicles over 12 that period of time. 13 Q. What types of vehicles were those? 14 A. They were compaction type garbage trucks, 15 and a roll off type truck. 16 Q. Were they front loading trucks or rear 17 loading trucks? 18 A. No, they were rear loading compaction 19 trucks, and a containerized truck to pick 20 up roll off containers. 21 Q. Did Jeep have hydraulic presses? 22 A. Did Jeep have hydraulic presses; I don't 23 know. 24 Q. You never toured the facility?</p>
<p style="text-align: center;">20</p> <p>1 Q. Do you remember anything about the nature 2 of your input? 3 A. We worked, basically, with the Heil 4 Corporation and the H. H. Donnelly Company, 5 who had access to engineers, who actually 6 made the equipment presentation. 7 Q. I still don't understand the nature of your 8 involvement. 9 A. One, to basically work with the inhouse 10 industrial engineers in coming up with a 11 viable plan to start reclaiming and, also, 12 transporting solid waste from their 13 manufacturing facility. 14 Q. What type of waste did they reclaim from 15 their facility? 16 A. Cardboard. Being an automotive company, 17 there was an extensive amount of cardboard 18 that was being just dumped across the 19 street and burned. 20 Q. How would they reclaim it? 21 A. It was a segregation operation, whereby 22 instead of dumping and co-mingling various 23 solid waste together, they would extract 24 the corrugated and dump it down a separate</p>	<p style="text-align: center;">23</p> <p>1 A. I knew they had a stamping plant, but I 2 never really went into that area, because 3 they didn't generate any kind of a, you 4 know, solid waste residue from that area. 5 Q. Did you ever see liquid from hydraulic 6 presses in the floor sweepings? 7 A. Not to my knowledge. 8 Q. Did you see any kind of liquids in the 9 floor sweepings? 10 A. No. 11 Q. Did Jeep use solvents to clean their 12 machinery? 13 A. Have no idea. 14 Q. Did you ever see any solvents or smell any 15 solvents in the floor sweepings? 16 A. Not that I know of. 17 Q. Did you ever operate an entity by the name 18 of Tidy? 19 A. Yes. 20 Q. When did you operate that entity? 21 A. Tidy was part of a later corporation that 22 was formed in the early '80's, 1982, '83. 23 Q. Did you do business under that name prior 24 to that date?</p>
<p style="text-align: center;">21</p> <p>1 chute into an open container, which we 2 transported to a paper recycling operation. 3 The balance of the material was 4 transported, via these gondolas, to the 5 centralized compaction area. 6 Q. What was transported to the central 7 compaction area? 8 A. It would be residue, broken pallets, 9 manufacturing materials, floor sweepings. 10 Q. What type of manufacturing materials? 11 A. Whatever we couldn't recycle. I mean, 12 there would be cardboard with wood stapled 13 to it. There would be packing paper, 14 styrofoam, and those types of materials 15 would go into the solid waste stream. 16 Q. What exactly did the Jeep plant do? 17 A. Made automotive vehicles. 18 Q. Was it an assembly plant for vehicles? 19 A. That's correct. 20 Q. Was there any painting, which occurred at 21 this plant? 22 A. Yes, but I wasn't involved in hauling their 23 paints and so forth. This was solid waste. 24 Q. Who was involved in hauling their paints?</p>	<p style="text-align: center;">24</p> <p>1 A. No. 2 Q. Who were the officers of that corporation? 3 A. I was the officer, sole owner. 4 Q. There were no other officers? 5 A. No. 6 Q. That's not a requirement of state law that 7 there be at least two officers of a 8 corporation? 9 MR. BLOOM: If you know. 10 A. No, I don't know. All I know I was the 11 sole owner and officer of the company. 12 Q. You were the sole stockholder? 13 A. Yes. 14 Q. Why did you form this corporation? 15 A. Tidy was basically set up to handle 16 recyclable products to augment my Toledo 17 Paper Stock Company. 18 Q. You were employed by Waste Management 19 Corporation for a period of time after they 20 purchased Benton Village Sanitation; were 21 you not? 22 A. Approximately fifteen months. 23 Q. Did you form Tidy upon leaving Waste 24 Management?</p>



1 A. No, I did not.  
 2 Q. When you had Superior Sanitation, which  
 3 dump did you go to?  
 4 A. I went to both landfills.  
 5 Q. Both meaning?  
 6 A. The King Road Landfill and I used the Dura  
 7 Landfill on occasion.  
 8 Q. Did you use Tyler?  
 9 A. I don't think Tyler was available then.  
 10 Q. Did you always go to one of the free city  
 11 or county dumps, or just the nearest dump?  
 12 A. Did I always go to --  
 13 Q. One of the free city or county dumps, or --  
 14 there were some private dumps operating  
 15 during that period, were there not?  
 16 A. Yes, there was.  
 17 Q. Did you go to a free city dump, or did you  
 18 go to, if there were a private dump where  
 19 you might have to pay a tipping fee, but it  
 20 was closer, would you go to that dump?  
 21 A. I used both.  
 22 Q. What other dumps did you use?  
 23 A. The King Road Landfill, I believe, you  
 24 know, charged a fee to use their facility.

1 The bulk of my material did go to the King  
 2 Road Landfill.  
 3 Q. Do you remember what that fee was?  
 4 A. Fifty cents a cubic yard.  
 5 Q. About what time period was there that fee?  
 6 A. That was in the middle '60's and then it  
 7 progressively was increased upwards, to  
 8 what it exactly was when I closed, I don't  
 9 know.  
 10 Q. Do you happen to remember what that fee  
 11 might have been in, say, 1970?  
 12 A. I'm assuming that it was somewhere in the  
 13 seventy-five cents to a dollar for a cubic  
 14 yard.  
 15 Q. Did it matter what type of waste that you  
 16 had? Did they have different rates  
 17 depending on the type of waste that you  
 18 had?  
 19 A. Where is this at?  
 20 Q. At King Road.  
 21 A. King Road Landfill, their rates?  
 22 Q. Yes.  
 23 A. To the best of my knowledge, no. It was  
 24 based upon your capacity of your vehicle.

1 Q. Did the King Road Landfill accept drummed  
 2 waste?  
 3 A. I do not know.  
 4 Q. You never saw drummed waste being disposed  
 5 of at the King Road Landfill?  
 6 A. I did not, no.  
 7 Q. Did you ever see the disposal of liquid  
 8 waste?  
 9 A. No.  
 10 Q. Solids?  
 11 A. No, I did not.  
 12 Q. Did you ever operate an entity called  
 13 Village Transfer System?  
 14 A. Yes, I did.  
 15 Q. When did you operate this entity?  
 16 A. 1969 until 1975, when it was incorporated  
 17 into Benton Enterprises, Inc.  
 18 Q. Were you operating Village Transfer System  
 19 at the same time that you were operating  
 20 Benton Village Sanitation?  
 21 A. I was a stockholder in that corporation,  
 22 yes.  
 23 Q. Were you the sole stockholder in the  
 24 Village Transfer System?

1 A. No, I was not.  
 2 Q. Who were the other stockholders?  
 3 A. Fred Atwood, James Robideau.  
 4 Q. Could you spell that last name, please?  
 5 A. It's R-O-B-I-D-E-A-U, or something like  
 6 that.  
 7 Q. Were there any other stockholders?  
 8 A. Not that I know of.  
 9 Q. Can you indicate the approximate percentage  
 10 that each of you owned of the stock of  
 11 Village Transfer System?  
 12 A. I had ten percent. I don't know what the  
 13 rest of them had.  
 14 Q. Do you remember who the majority  
 15 stockholder was?  
 16 A. No, I don't.  
 17 Q. Who were the officers of Village Transfer  
 18 System?  
 19 A. I was President, Fred Atwood was  
 20 Vice-President and Treasurer.  
 21 Q. Was Mr. Robideau an officer?  
 22 A. Not that I know of.  
 23 Q. He was just a stockholder?  
 24 A. Correct.

1 Q. Describe what your role was as President of  
 2 that corporation?  
 3 A. Basically, the operation was set up to  
 4 handle waste paper from various discount  
 5 stores and the Jeep Corporation; to bale  
 6 this waste paper and then to sell it to the  
 7 companies that were owned by Mr. Robideau  
 8 and Mr., the other gentleman that I had  
 9 named previously.  
 10 Q. Mr. Atwood?  
 11 A. Atwood. Tecumseh Corrugated Box Company  
 12 received those materials.  
 13 Q. Did you say Tecumseh?  
 14 A. Tecumseh Box. In essence what we did is we  
 15 shredded paper there and baled it and sold  
 16 it for recycling to the company they owned.  
 17 Q. What did you do?  
 18 A. What did I do? I oversaw the operation of  
 19 the actual operation, day to day operations  
 20 of that facility.  
 21 Q. Did Village Transfer System own its own  
 22 trucks?  
 23 A. No.  
 24 Q. Did it utilize trucks?

1 A. No, it did not. It -- please rephrase the  
 2 question when you say, utilized trucks;  
 3 what do you mean by that?  
 4 Q. Did Village Transfer System use trucks to  
 5 pick up the waste paper?  
 6 A. No.  
 7 Q. How did you pick up the waste paper?  
 8 A. That was picked up by Benton Village  
 9 Sanitation Service in their collection  
 10 process and brought to this facility from  
 11 customers that were customers of Benton's,  
 12 and that material was dropped at this  
 13 facility for recycling.  
 14 Q. I assume that Benton Village Sanitation  
 15 received some type of compensation from  
 16 Village Transfer Systems for picking up the  
 17 waste paper?  
 18 A. They received, I believe, some compensation  
 19 for the paper itself, not for picking it  
 20 up.  
 21 Q. So the amount that Benton would receive was  
 22 based upon a number of pounds or cubic  
 23 yards of material?  
 24 A. Yeah, and I believe that the quality of the

paper had something to do with it. A lot of times there was different, there was other debris, plastics and stuff, that were brought in with it. Like from discount stores, like the plastic over your dresses and stuff, it had to be segregated out of that. Now if there were too much of that in there, then it was discounted to the point where it was just simply a drop off charge. Actually, we would even go to the point of charging back the company who brought it in for handling that material.

Q. Who would charge back the company?

A. Village Transfer Systems.

Q. Did you have a defined rate schedule under which Benton Village Sanitation received compensation from Village Transfer System?

A. No, there wasn't a defined rate schedule.

Q. So how did you determine what Benton Village Sanitation would receive for a particular load of waste paper?

A. Actually it was based on the monthly tonnage that we took out of the waste stream itself. Because we could weigh the

bales that came out of the facility, so we would have a little better handle on what was actually taken out of the waste stream versus what we had in the way of trash that came out of those particular loads that were brought in to us. We'd offset that by what it cost us to dispose of that material, and then compensate them, the Benton Village Sanitation Service, in accordance with the difference between the good stuff and the bad stuff, so to speak.

Q. So you were paid on a monthly basis based on the amount of tonnage?

A. Correct.

Q. You were not paid on a per load basis?

A. No.

Q. Did any of the customers of Benton Village Sanitation receive a discount in their rate if they had material that would be recyclable?

MR. BLOOM: I'm going to interpose an objection only because he testified that Benton Village was sold in 1970, so he would have

some knowledge, I guess, in 1969. I don't know what his knowledge is after 1970. If you would just rephrase or specify the time frame.

Q. Prior to the sale of Benton Village Sanitation, do you know, would the customers of Benton Village Sanitation receive any discount in their rates for having paper that would be recyclable?

A. Yes.

Q. What would the discount be based on?

A. Well, the discount would be based on the total volume of waste removed during a month's period of time that would have normally went to the landfill, we would have offset that landfill price.

For instance, if an individual had a hundred tons of material being generated out of his facility, and we were able to salvage twenty tons of that, then whatever the landfill price would have been on that twenty tons of material, would have been basically credited to him in via a

reduction in his overall monthly cost.

Q. You would give the entire landfill price credit of the, in this example, the twenty tons that would be recyclable out of that waste stream?

A. That's correct.

Q. It would not be a percentage of the landfill costs?

A. No, and the reason for that is that we were being compensated in some small way for the paper itself, so it was, at that juncture, it was a break even situation for us for hauling. We actually used this as a tool to acquire customers. It was a sales tool.

Q. I see. You did testify that you continued working for Waste Management, Inc. after you sold Benton Village Sanitation?

A. Yes.

Q. I'd like to ask you to repeat how long you worked for them after the sale?

A. I believe I was there for approximately fifteen to sixteen months after the sale.

Q. What was your position after the sale?

A. After the sale, it was general manager.

Q. What was the entity called?

A. The entity was called Benton Village Sanitation Service, Inc.

Q. So even though it had been sold to Waste Management, Inc., it retained the name of Benton Village Sanitation, Inc.?

A. Correct.

Q. Did the relationship between Benton Village Sanitation and Village Transfer System change after the sale of Benton Village Sanitation to Waste Management, Inc.?

A. There was a gradual phase out of utilizing the facility, the Village Transfer Systems facility.

Q. Why was that?

A. The stockholders felt that it was in their best interest to cease operation because of the, it was the, they were concerned with the unprofitability due to the down turn in the saleability of recyclable materials.

Q. Mr. Benton, what did you do after you left Benton Village Sanitation?

A. I acquired the assets of Village Transfer Systems, which was a building and a baler,

and proceeded to acquire the assets of Toledo Paper Stock, which was also a competitor at the time and a large scale recycler of paper products in the Toledo area.

Q. Did Mr. Atwood or Mr. Robideau have any role with Village Transfer System after you acquired the assets of that corporation?

A. No, I acquired the assets of Village Transfer System and bought their stock prior to acquiring Toledo Paper Stock.

Q. From whom did you purchase the assets of Toledo Paper Stock?

A. A Mr. Jay Sheur.

Q. Can you spell the last name, please?

A. S-H-U, I'm sorry, S-H-E-U-R. Oh, excuse me, and a Mr. Sidney Mostov. That's M-O-S-T-O-V.

Q. Was it an asset purchase or a stock purchase?

A. Asset purchase.

Q. But for the Village Transfer System, you purchased the assets and the stock?

A. Yes.

1 Q. What assets did you purchase from Mr. Sheur  
2 and Mr. Mostov?  
3 A. I purchased some trucks and trailers, a  
4 baling facility, and three pieces of  
5 property.  
6 Q. How many trucks did you purchase from them?  
7 A. Four.  
8 Q. What types of trucks were they?  
9 A. Semi-tractors and a van truck.  
10 Q. Did this company do anything other than  
11 recycle paper?  
12 A. They made some pallets.  
13 Q. They constructed pallets?  
14 A. Correct.  
15 Q. Would this be like reconditioning pallets?  
16 A. That is correct?  
17 A. Who were the major customers of Toledo  
18 Paper Stock?  
19 A. St. Regis Paper Company, General Mills,  
20 Lion stores.  
21 Q. I'm sorry?  
22 A. Lion, they're a department store here in  
23 town. Libbey Glass, they make the glasses.  
24 They have a large amount of corrugated.

1 And then we also bought, you know, scrap  
2 paper from, newspapers and that, from off  
3 the street that came in from the individual  
4 people.  
5 Q. Did you purchase any newspaper from The  
6 Toledo Blade?  
7 A. Yes, in the beginning, we did; yes.  
8 Q. What years would that be?  
9 A. That would be in 19 -- I want to be real  
10 clear on this.  
11 Q. To the best of your knowledge.  
12 A. I would say it's 1972. We lost the account  
13 shortly thereafter.  
14 Q. Did you ever have paper that was not  
15 recyclable?  
16 A. Yes.  
17 Q. What did you do with that?  
18 A. That was transported to a landfill.  
19 Q. Which landfill?  
20 A. That went to the Hagman Road Landfill.  
21 Q. Approximately what years was this?  
22 A. '73, '74.  
23 Q. Did you dispose of anything else at the  
24 Hagman Road Landfill other than paper?

1 A. Yes.  
2 Q. What else did you dispose of?  
3 A. At what time, though?  
4 Q. You've just stated the years 1973 to '74.  
5 A. Oh, okay, nothing other than paper then. I  
6 wasn't in the trash business then.  
7 Q. Did you ever operate an entity called  
8 Action Waste Company?  
9 A. No, I did not.  
10 Q. Is that a name that is familiar to you?  
11 A. No, it is not.  
12 Q. Did you operate or were associated with any  
13 other business entities, say prior to 1980?  
14 A. No.  
15 Q. You stated this before, but if you could  
16 restate when you moved to Willis Day  
17 Industrial Park?  
18 A. Approximately 1969.  
19 Q. What entity was located at this address?  
20 A. Village Transfer Systems.  
21 Q. Was Benton Village Sanitation also located  
22 there?  
23 A. Yes.  
24 Q. Were they in the, I mean, was it the same

1 plant or the same operation?  
2 A. The plant was on one part of the property,  
3 and we had a mobile office and maintenance  
4 facility on another part of the property.  
5 Q. So both corporations were operated out of  
6 the same facility essentially?  
7 A. Correct.  
8 Q. When you moved to Willis Day Industrial  
9 Park, how many trucks did you have then?  
10 A. I believe we had eleven or twelve at that  
11 point in time.  
12 Q. Did you operate only out of the Willis Day  
13 Industrial Park or out of any other  
14 location?  
15 A. No, Willis Day Industrial Park.  
16 Q. Do you remember who were your main accounts  
17 when you moved to Willis Day Industrial  
18 Park?  
19 A. No, I don't.  
20 Q. You have no memory of your major accounts?  
21 A. City of Maumee was a big residential  
22 account, was a contract we had. Jeep, we  
23 had the Jeep Company.  
24 Q. At that time, you were hauling what for

1 Jeep Company?  
2 A. We were hauling their solid waste and their  
3 cardboard. And also we had the K-Marts and  
4 the K-Mart complexes.  
5 Q. Did you have any other large commercial  
6 accounts?  
7 A. A & P. I believe there was an A & P  
8 complex back then.  
9 Q. Did you ever haul for Doehler Jarvis?  
10 A. No, did not.  
11 Q. Mr. Benton, these entities that I'm getting  
12 ready to ask you about have identified your  
13 company as being their hauler.  
14 A. Okay. I have never hauled for Doehler  
15 Jarvis. I will go on record as saying that  
16 right here.  
17 Q. Do you know whether --  
18 A. It was the old Community Sanitation, and  
19 then it became of BFI who took care of  
20 Doehler Jarvis. I never once hauled for  
21 Doehler Jarvis. I tried to get the account  
22 several times.  
23 Q. Do you know what Community Sanitation  
24 hauled from Doehler Jarvis?

1 A. I would assume it was solid waste from  
2 their manufacturing facilities. I know  
3 they had a lot of aluminum oxide  
4 by-products and so forth at that time.  
5 Q. How do you know that?  
6 A. Because I went in and did a study of their  
7 plant a couple of times.  
8 Q. Was this in an attempt to get Doehler  
9 Jarvis as an account?  
10 A. Correct.  
11 Q. Did you have any discussions with Doehler  
12 Jarvis about hauling any drummed waste?  
13 A. No.  
14 Q. Did you ever have any discussions about any  
15 liquid waste?  
16 A. None whatsoever.  
17 Q. Are you aware as to whether Community  
18 Sanitation, and later BFI, hauled any  
19 drummed waste?  
20 A. I do not know.  
21 Q. Do you know where Community Sanitation  
22 Service may have hauled the waste of  
23 Doehler Jarvis?  
24 A. I would say in the early days, they



1 probably used the Dura Landfill and later,  
2 their own landfill on Hagman Road.  
3 Q. Do you know if they hauled waste to the  
4 Stickney or Tyler landfills?  
5 A. I saw their vehicles in those landfills,  
6 yes.  
7 Q. Do you have any knowledge as to what they  
8 might have been hauling? If you saw their  
9 vehicles, would you know where the waste  
10 had come from?  
11 A. Well, of course, it came from all over the  
12 city. I mean, they were the largest  
13 contractor in the area at the time. They  
14 must have had thirty-five trucks running  
15 around town at that time.  
16 Q. So if you saw a truck, you wouldn't know  
17 where the waste had come from?  
18 A. No.  
19 Q. You had Jeep, and then I guess it changed  
20 names at various time periods, Jeep Eagle,  
21 AMC?  
22 A. Correct.  
23 Q. Do you know when it might have changed  
24 names?

1 A. No, I don't, because I left Waste  
2 Management in early 1970, so they may have  
3 changed after that, I don't know.  
4 Q. So when you left Waste Management, what was  
5 the entity that you dealt with?  
6 A. Jeep Corporation.  
7 Q. Jeep Corporation. Did you ever haul for  
8 Sun Oil?  
9 A. No.  
10 Q. Again, Mr. Benton, they have identified you  
11 as being a hauler.  
12 A. I did not haul for Sun Oil. I hauled for  
13 Fondessy, who had the account in Sun Oil.  
14 Make sure we get this straight.  
15 Q. You hauled for Fondessy?  
16 A. Right.  
17 Q. When did you haul for Fondessy?  
18 A. That was in the, oh, middle '60's.  
19 Q. Could you -- I'm getting a little confused  
20 with your various business ventures.  
21 A. If you'll let me explain, then I'll explain  
22 it to you.  
23 Q. Sure, go ahead, please.  
24 A. Then we won't be confused. The Fondessy

1 people called me and asked me if I would  
2 put a container at a drop off point within  
3 the plant to pick up the office solid waste  
4 and so forth, because they did not have the  
5 type of vehicle I did. And I said, yes, I  
6 would. They had me transport that to their  
7 facility on Otter Creek Road.  
8 I did not haul any refinery waste  
9 or anything like that. It was one  
10 container, and it was simply for their  
11 inplant drop off containers that they had  
12 at their various office sites.  
13 Q. When did you have this relationship with  
14 Fondessy?  
15 A. I'd say the middle '60's, '67, '66, middle  
16 '60's.  
17 Q. You developed this relationship about the  
18 time you incorporated Benton Village  
19 Sanitation; would that be correct?  
20 A. Correct.  
21 Q. Did you have any other business, hauling  
22 relationships with other transporters that  
23 we have not discussed?  
24 A. No, that was the only one. I only did that

1 for a couple of years until they bought  
2 their own truck, and then they proceeded to  
3 do it themselves.  
4 Q. How often would you pick up the container  
5 at Sun Oil?  
6 A. Oh, twice a week.  
7 Q. What did the container hold?  
8 A. Mixed solid waste; broken pallets, waste  
9 paper from the offices.  
10 Q. Floor sweepings?  
11 A. I really don't know. I never saw any floor  
12 sweepings in their.  
13 Q. Did you see any shop racks?  
14 A. No.  
15 Q. Did you ever haul for Gulf Oil?  
16 A. Did I ever haul for Gulf? No.  
17 Q. Mr. Benton, why do you think all these  
18 entities have named you, but --  
19 MR. BLOOM: I'll object to the  
20 questions. Pure speculation. Go  
21 ahead if you can answer.  
22 A. Yeah, I'll answer it. Let them produce  
23 them a manifest or a bill. I mean, if I  
24 hauled for them, they must have a bill from

1 me. That would be the easiest way.  
2 Q. That may not be correct due to the length  
3 of time that has passed.  
4 A. All my records were given to --  
5 MR. BLOOM: I'm going to show  
6 an objection, counsel, what's the  
7 question.  
8 MS. ESTES: Sir, you really  
9 don't have a role here.  
10 MR. BLOOM: I understand that.  
11 I think I have, whether I do or  
12 not, I have the right, I think,  
13 under an administrative hearing, to  
14 object to your questions. I've  
15 been very liberal, and you've asked  
16 open ended questions with no dates,  
17 and you're asking him questions you  
18 know he can't answer.  
19 A. Okay. I did not haul for Gulf Oil. Let's  
20 go on to the next one.  
21 Q. Did you haul for Inmont Manufacturing?  
22 A. No, I did not. That was another  
23 Community/BFI operation.  
24 Q. They identified you.

1 A. Produce a bill.  
2 Q. Mr. Benton, do you have the subpoena  
3 requiring you to be present today, also  
4 requiring you to produce records?  
5 A. And my records are with Waste Management.  
6 They acquired the company, anything that  
7 was done. They acquired the business, so  
8 they got all the business records and  
9 everything. So I don't have anything.  
10 Q. So you have no records from Benton Village  
11 Sanitation?  
12 A. That is correct.  
13 Q. Do you have any records from any of the  
14 other entities which you operated?  
15 A. For what dates, ma'am?  
16 Q. Prior to 1975?  
17 A. Prior to, I have Village Transfer corporate  
18 records.  
19 Q. Did you bring any of those entities with  
20 you today?  
21 A. No.  
22 Q. Why not?  
23 A. Because they weren't asked for. Village  
24 Transfer System wasn't even indicated here.

1 Q. Sir, the subpoena was personal to you. It  
2 wasn't dedicated to any particular entity.  
3 A. Well, evidently, we're getting into an  
4 adversary situation here, and your  
5 definition of records, besides Village  
6 Transfer System, wasn't in the business of  
7 hauling waste material. It was a paper  
8 recycling operation. Now, how far do we go  
9 with this?  
10 Q. You did indicate that you disposed off spec  
11 or paper of material that could not be  
12 recycled?  
13 A. Yes, it went into a compactor and was  
14 hauled away by Benton Village Sanitation  
15 Service. We paid them a fee to haul our  
16 trash away.  
17 Q. And Village Transfer System did not do any  
18 of its own hauling to landfills?  
19 A. That is correct.  
20 Q. Did you ever haul for Inland Manufacturing,  
21 located at 1120 Bush Street?  
22 A. To the best of my knowledge, no.  
23 Q. Do you know who did?  
24 A. No, I don't.

1 Q. GTE North, or General Telephone, did Benton  
2 Village Sanitation ever haul for either of  
3 those entities?  
4 A. Where are they located?  
5 Q. I'm sorry, I don't have an address.  
6 A. Okay. It doesn't, the name doesn't even  
7 ring a bell with me. Sounds like a  
8 telephone company.  
9 Q. Yes, it is a telephone company.  
10 A. I hauled Ohio Bell's, but I don't ever  
11 remember picking up GTE North.  
12 Q. Did you ever haul for Plabell Rubber  
13 Products?  
14 A. Yes.  
15 Q. What entity hauled for Plabell Rubber  
16 Products?  
17 A. Tidy.  
18 Q. What years was that?  
19 A. 1987, '86.  
20 Q. Until what time?  
21 A. Until I sold out in 1990.  
22 Q. Did you ever haul for St. Vincent Hospital?  
23 A. Yes.  
24 Q. What entity hauled for St. Vincent

1 Hospital?  
2 A. Benton Enterprises, Inc.  
3 Q. When did you form Benton Enterprises, Inc.?  
4 A. That was, again, in the late '60's, '67.  
5 Q. So were you operating Benton Enterprises,  
6 Inc. and Benton Village Sanitation at the  
7 same time?  
8 A. Oh, I'm sorry, I'm getting so many of these  
9 corporations mixed up. No, it was Benton  
10 Village Sanitation Service, Inc., not Benton  
11 Enterprises. I'm sorry, scratch that. It  
12 wasn't formed until the '80's. Benton  
13 Village Sanitation Service, Inc.  
14 Q. And Benton Enterprises, Inc. was formed  
15 when?  
16 A. In the late '60's. Benton Village  
17 Sanitation Service, Inc.?  
18 Q. No, no. Benton Enterprises, Inc.  
19 A. Benton Enterprise, that wasn't until later  
20 on in the late '70's.  
21 Q. What was the nature of Benton Village  
22 Sanitation, Inc. business?  
23 A. That was a solid waste collection during  
24 the '60's, and later it was acquired in the

1 late 1970 or early 1971 by Waste  
2 Management.  
3 Q. You've just confused me, because you said  
4 that it was formed in the late '70's.  
5 A. That was Benton Enterprises, Inc. that was  
6 formed in the late '70's.  
7 Q. Yes, I asked what the business of Benton  
8 Enterprises, Inc. was.  
9 A. Okay. Benton Enterprises, Inc., at the  
10 time, was engaged in recycling waste paper  
11 in the '70's.  
12 Q. Did Benton Enterprises, Inc. do anything  
13 other than recycle waste paper?  
14 A. We repaired and recycled used pallets.  
15 Q. Anything other than those two lines of  
16 business?  
17 A. No. During the '70's, correct? That's the  
18 question that you asked me.  
19 Q. During the '70's.  
20 A. All right.  
21 Q. Did the nature of the business of Benton  
22 Enterprises, Inc. change subsequently?  
23 A. Yes, in 1984, we entered into the solid  
24 waste field with a contract with the City

1 of Maumee, and formed, and did business,  
2 Benton Village Sanitation, or Benton  
3 Enterprises, Inc. doing business as Tidy  
4 Waste Collection. So that we can clarify  
5 any confusion that we have here.  
6 Q. So it always when you were doing business  
7 as Tidy Sanitation, the corporate entity  
8 which you had when you were operating as  
9 Tidy Sanitation, was always Benton  
10 Enterprises, Inc.?  
11 A. Correct. If I could, I would like you to  
12 go back to the St. Vincent Hospital thing  
13 that you asked me about.  
14 Q. Sure, certainly.  
15 A. I need to clarify that issue, too.  
16 Q. Okay.  
17 A. St. Vincent's Hospital was basically  
18 acquired, or we started collecting their, I  
19 would say in 1971, and the basis for that  
20 was that it was after I was acquired by  
21 Waste Management, they also acquired the  
22 Cousins Waste Removal Company at that time,  
23 which was also integrated into Benton  
24 Enterprises as the successor company,

1 owned by Waste Management at the time. So I  
2 want to make sure that the time frame, it  
3 just came to me when all that came about.  
4 So that was an account that was  
5 basically acquired through an acquisition  
6 of a competitive company in the Toledo  
7 area.  
8 (SHORT BREAK)  
9 Q. Let me just ask a clarifying question, Mr.  
10 Benton. Benton Village Sanitation did not  
11 service St. Vincent's Hospital prior to its  
12 acquisition by Waste Management, Inc.; is  
13 that correct?  
14 A. That's correct.  
15 Q. Was it serviced by the Cousins Disposal  
16 Service?  
17 A. To the best of my knowledge, it was prior  
18 to that.  
19 Q. Is that the correct name of the entity, to  
20 the best of your knowledge?  
21 A. Cousins Waste Disposal, yes.  
22 Q. Cousins Waste Disposal, okay. To the best  
23 of your knowledge, what did Benton  
24 Sanitation haul for St. Vincent's Hospital?

1 A. It was a compaction container consisting of  
2 their hospital kitchen residue, solid  
3 waste, because they compacted material into  
4 container.  
5 Q. Did St. Vincent's Hospital have an  
6 incinerator?  
7 A. Yes, they did.  
8 Q. What did they incinerate in their  
9 incinerator, to the best of your knowledge?  
10 A. I do not know.  
11 Q. Did you haul material from the incinerator?  
12 A. If we did, we didn't do it in the  
13 compactor. We probably did it in a smaller  
14 container.  
15 Q. You're not sure about that?  
16 A. I'm not sure.  
17 Q. Is there someone that would know whether at  
18 St. Vincent's Hospital, whether Benton  
19 Village Sanitation hauled material from the  
20 incinerator?  
21 A. I would say that the people at Waste  
22 Management would know.  
23 Q. Any individual in particular?  
24 A. Jan Weimer.

1 Q. How is that name spelled?  
2 A. W-E-I-M-E-R.  
3 Q. Is she currently employed by Waste  
4 Management, to the best of your knowledge?  
5 A. Yes, but it's a he.  
6 Q. Oh, excuse me. Usually that's a woman. Do  
7 you know what his title might be?  
8 A. He's operating manager.  
9 Q. Did you ever haul for The Kroger Company?  
10 A. Yes.  
11 Q. What did you haul for The Kroger Company?  
12 A. Solid waste.  
13 Q. What years did you haul for The Kroger  
14 Company?  
15 A. 1965, '66.  
16 Q. Was this hauling done by Benton Village  
17 Sanitation?  
18 A. Yes.  
19 Q. Did Benton Village Sanitation ever haul for  
20 The Toledo Blade?  
21 A. Let me think back. No, no.  
22 Q. Now, they've indicated that you did or that  
23 the entity Benton Village Sanitation did  
24 after 1973, had you --

1 A. Excuse me, I wasn't out there after 1973,  
2 so I would have no knowledge of that.  
3 Q. That was my question. Were you there after  
4 1973. Did you ever haul for Toledo Edison?  
5 A. Boy, think back. No, no.  
6 Q. Mr. Benton, when did you begin operating at  
7 30335 Oregon?  
8 A. 1969. That's the Rossford --  
9 Q. That's a Rossford?  
10 A. Actually, I don't know if its Perrysburg  
11 Township or Rossford. We never really got  
12 our mail out there, so I don't know. It's  
13 within the Rossford ordinance depot, is  
14 what it is, only they have an Oregon Road  
15 address, but you can't get it from Oregon  
16 Road, you have to go into the parks right  
17 by Penta -- well, you're not familiar with  
18 this area. It's a big ordinance, old  
19 ordinance depot, army depot.  
20 Q. What entity or entities operated at 30335  
21 Oregon, in the Rossford area?  
22 A. Okay. Village Transfer Systems, Inc.  
23 Q. Did Benton Village Sanitation?  
24 A. And Benton Village Sanitation, correct.

1 Q. Any other entities?  
2 A. No.  
3 Q. Did any other entities operate from this  
4 address subsequent to 1969?  
5 A. Subsequent meaning after?  
6 Q. Yes.  
7 A. Waste Management did for a short period of  
8 time after they acquired me.  
9 Q. When you had the operation at 30335 Oregon  
10 in Rossford, was that a move from your  
11 prior location?  
12 A. From 1212 Clark Street.  
13 Q. Is this the same address, is this all part  
14 of the Willis Day Industrial Park?  
15 A. Correct.  
16 Q. So 30335 Oregon and the Willis Day  
17 Industrial Park --  
18 A. Are one and the same.  
19 Q. Are one and the same?  
20 A. Correct.  
21 Q. Mr. Benton, to what do you attribute the  
22 fact that your business grew over time?  
23 A. Well, one of the reasons, I would think, is  
24 that, one, basically, we were very

1 competitive. We were a non-union company  
2 at the time, where the competition was a  
3 union company, which I'm sure their costs  
4 were a little bit more than ours.  
5 And we had some innovative  
6 recycling programs that we were years ahead  
7 of our time, which are now the state of the  
8 art today.  
9 Q. Who was your main competition?  
10 A. It would have been Community Sanitation at  
11 the time.  
12 Q. Community Sanitation was unionized?  
13 A. Yes, which later became BFI. I mean, BFI  
14 also was a competitor at that time, too.  
15 Q. But Community Sanitation did haul drummed  
16 waste, did they not?  
17 A. Did haul from waste?  
18 Q. Excuse me, did haul drummed waste, or  
19 liquid waste?  
20 A. That, I don't know.  
21 Q. You have no idea?  
22 A. No.  
23 Q. Are you familiar with an entity called  
24 Freeman Disposal?

1 A. Yes.  
2 Q. Do you know who the main operator of that  
3 entity is?  
4 A. Ken Freeman.  
5 Q. Was, if you know, was Freeman Disposal  
6 incorporated?  
7 A. Yes, it was.  
8 Q. It was Freeman Disposal, Inc.?  
9 A. S.E. Freeman and Son's, Inc.  
10 Q. They did business as Freeman Disposal?  
11 A. Yes.  
12 Q. Do you know what years Freeman Disposal  
13 operated?  
14 A. My understanding is they started like in  
15 1929 and operated up until the late or  
16 middle '60's, when they were acquired by  
17 Community Sanitation.  
18 Q. Do you have any idea of how many employees  
19 they may have had immediately prior to  
20 their acquisition by Community Sanitation  
21 Service?  
22 A. I'm estimating sixteen to seventeen  
23 employees?  
24 A. Do you have any idea of the number and the



<p style="text-align: center;">61</p> <p>1 types of trucks they might have had?</p> <p>2 A. They were rear load compaction type</p> <p>3 vehicles.</p> <p>4 Q. Do you have any idea how many?</p> <p>5 A. Six, seven.</p> <p>6 Q. Do you know what types of waste S.E.</p> <p>7 Freeman and Sons hauled?</p> <p>8 A. Basically, they had the City of Perrysburg</p> <p>9 under contract. They hauled commercial</p> <p>10 and residential trash.</p> <p>11 Q. Did they haul any industrial accounts?</p> <p>12 A. I do not know. I only say that, because</p> <p>13 they didn't have the big industrial type</p> <p>14 equipment to handle industrial accounts, but</p> <p>15 that doesn't mean that they couldn't have</p> <p>16 handled some with a rear load garbage truck</p> <p>17 if they wanted to.</p> <p>18 Q. Do you know where they hauled their waste?</p> <p>19 A. Yes. Their city trash would have went to</p> <p>20 the Tyler and Dura Landfills. Their</p> <p>21 Perrysburg trash and so forth went to a</p> <p>22 landfill on Angola Road, which would be in</p> <p>23 the 7500 block of Angola Road.</p> <p>24 Q. What was the name of that landfill?</p>	<p style="text-align: center;">64</p> <p>1 Q. To the best of your knowledge, was Barton's</p> <p>2 incorporated?</p> <p>3 A. I would think so, yes.</p> <p>4 Q. Do you know what the corporate name was?</p> <p>5 A. No.</p> <p>6 Q. Do you know how many employees Barton's</p> <p>7 Disposal or Barton's Community Sanitation</p> <p>8 would have had?</p> <p>9 A. At what time?</p> <p>10 Q. I'm sorry, did I ask you the years of</p> <p>11 operation? No, I don't think so. When did</p> <p>12 Barton's operate?</p> <p>13 A. My understanding that his operation went</p> <p>14 way back into the late '40's until he</p> <p>15 subsequently sold out in the middle '60's.</p> <p>16 Q. Where did he sell out to?</p> <p>17 A. To a company called R &amp; K Refuse, Inc.</p> <p>18 Q. Immediately prior to the sale of Barton's</p> <p>19 to R &amp; K Refuse, Inc., do you know how many</p> <p>20 employees, or can you estimate the number</p> <p>21 of employees of Barton's Sanitation?</p> <p>22 A. One.</p> <p>23 Q. One? Just Mr. Barton?</p> <p>24 A. That was it. He was down to one truck.</p>
<p style="text-align: center;">62</p> <p>1 A. It was a private, it was their own</p> <p>2 landfill. There was no name. No one could</p> <p>3 dump there.</p> <p>4 Q. Do you know whether they hauled any drummed</p> <p>5 waste?</p> <p>6 A. Not to my knowledge.</p> <p>7 Q. What happened to the Freeman's once the</p> <p>8 S.E. Freeman and Sons was sold to Community</p> <p>9 Sanitation Services?</p> <p>10 A. One of the individuals, one of the brothers</p> <p>11 passed away shortly thereafter. The other</p> <p>12 one went to work for the county, running</p> <p>13 the county landfill.</p> <p>14 Q. So to the best of your knowledge, they did</p> <p>15 not operate a disposal service subsequent</p> <p>16 to Community Sanitation Services purchase</p> <p>17 of S.E. Freeman and Sons?</p> <p>18 A. That's correct. Now, their nephew, a</p> <p>19 nephew did. A nephew decided to go into</p> <p>20 business for a short period of time.</p> <p>21 Q. Was he employed by S.E. Freeman and Sons?</p> <p>22 A. No, no. He went into business for himself.</p> <p>23 He didn't last very long.</p> <p>24 Q. Are you familiar with an entity called</p>	<p style="text-align: center;">65</p> <p>1 Q. How many employees did he have during his</p> <p>2 heyday?</p> <p>3 A. He probably had twenty employees.</p> <p>4 Q. Do you know approximately what year that</p> <p>5 might have been?</p> <p>6 A. '55 to '60.</p> <p>7 Q. Do you know who his main customers were?</p> <p>8 A. Foodtown, the City of Maumee.</p> <p>9 Q. What was the first?</p> <p>10 A. Foodtown, they're a big chain store, food</p> <p>11 store.</p> <p>12 Q. Oh, Foodtown, okay.</p> <p>13 A. Yeah, Foodtown. Ohio Bell, City of Maumee,</p> <p>14 and then several small commercial accounts.</p> <p>15 Q. Do you know of any other large commercial</p> <p>16 accounts?</p> <p>17 A. No.</p> <p>18 Q. Do you know what types of waste he hauled?</p> <p>19 A. Primarily residential, commercial type</p> <p>20 wastes.</p> <p>21 Q. Did he have any large industrial accounts,</p> <p>22 to the best of your knowledge?</p> <p>23 A. Not that I knew of.</p> <p>24 Q. Where did he haul his waste, to the best</p>
<p style="text-align: center;">63</p> <p>1 Barton's Disposal?</p> <p>2 A. Yes.</p> <p>3 Q. Can you tell me who the main operator of</p> <p>4 Barton's Disposal was?</p> <p>5 A. I believe his name was Marcus O. Barton.</p> <p>6 Q. Do you remember any of the other employees</p> <p>7 of Barton's Disposal Service?</p> <p>8 A. A driver called Harry Heldt.</p> <p>9 Q. How would his last name be spelled?</p> <p>10 A. H-E-L-D-T.</p> <p>11 Q. Is Mr. Heldt still living?</p> <p>12 A. Yes.</p> <p>13 Q. Do you have any idea where he might reside?</p> <p>14 A. He works for BFI here in Toledo.</p> <p>15 Q. Do you know what his position is for BFI?</p> <p>16 A. Driver.</p> <p>17 Q. He's still a driver?</p> <p>18 A. Uh-huh.</p> <p>19 Q. What years did, was it called Barton's</p> <p>20 Disposal?</p> <p>21 A. I really don't -- Barton's Community</p> <p>22 Sanitation or Community Waste or something</p> <p>23 like that. It's been so long ago, I don't</p> <p>24 remember exactly.</p>	<p style="text-align: center;">66</p> <p>1 of your knowledge?</p> <p>2 A. King Road Landfill.</p> <p>3 Q. Did he ever haul to the Stickney/Tyler,</p> <p>4 Stickney Landfill?</p> <p>5 A. I never saw his trucks there.</p> <p>6 Q. What did his trucks look like?</p> <p>7 A. They were front load type garbage trucks.</p> <p>8 Q. Were they painted a particular color?</p> <p>9 A. No, one was white and one was green.</p> <p>10 That's all I remember.</p> <p>11 Q. How did you know they were his trucks?</p> <p>12 A. Well, because he basically had, those were</p> <p>13 the only two type trucks of that particular</p> <p>14 make and model that were running around</p> <p>15 town. No one else had any like his.</p> <p>16 Q. Did the trucks have his name on them?</p> <p>17 A. No.</p> <p>18 Q. They were not labeled Barton's Disposal or</p> <p>19 Barton's Community Sanitation?</p> <p>20 A. Excuse me, no, for the record.</p> <p>21 Q. So you knew the trucks only because of</p> <p>22 their make and model?</p> <p>23 A. Correct.</p> <p>24 Q. Did they ever haul to the Stickney</p>

1 Landfill?  
 2 A. Not to my knowledge.  
 3 Q. Did they ever haul to the Dura Landfill?  
 4 A. No.  
 5 Q. You seem very certain. How can you be so  
 6 certain?  
 7 A. Mr. Barton, for some reason, like to use  
 8 the King Road Landfill basically because  
 9 his trucks wouldn't get tore up. He only  
 10 had a couple of trucks and he couldn't  
 11 afford to have them down. Where the Dura  
 12 Landfill and so forth was a plain dump, and  
 13 when you took your trucks in there, they  
 14 were always subject to some kind of damage,  
 15 either tires or drive lines, or something,  
 16 because of the debris that was sticking up  
 17 in the landfill.  
 18 So that was one of the reasons that  
 19 he always, he said it was cheaper for him  
 20 to use a regular landfill that they covered  
 21 versus one that they didn't cover. So he  
 22 was pretty definite about that. He was an  
 23 older guy and pretty set in his ways. I  
 24 think he passed away. I'm almost sure he

1 has.  
 2 Q. You said that he had during twenty  
 3 employees, approximately during the years  
 4 1955 to 1960; is that correct?  
 5 A. Correct.  
 6 Q. How many trucks would he have had at that  
 7 time?  
 8 A. He had five trucks, if I can remember.  
 9 Q. How would you know that one of those trucks  
 10 might be his truck?  
 11 A. Again, if you're in the solid waste  
 12 business, you know who your competition is  
 13 and you know their trucks whether they have  
 14 their name on them or not.  
 15 He only had five vehicles, and when  
 16 you went into the landfill, you knew his  
 17 rigs.  
 18 Q. Your certain that these five trucks never  
 19 went to the Stickney Landfill?  
 20 A. I'm almost positive.  
 21 Q. During the time period 1955 to 1960, how  
 22 often would you be in the Stickney  
 23 Landfill, to the best that you can  
 24 estimate?

1 A. A couple of times a week.  
 2 Q. How many times a day would that be?  
 3 A. Once a day.  
 4 Q. So two days out of a week, you'd be in  
 5 there once a day?  
 6 A. Correct. The bulk of my business was in  
 7 the township, and the city didn't allow  
 8 township trash to come into the city.  
 9 Q. Which townships?  
 10 A. Springfield Township, I'm sorry.  
 11 Q. Springfield Township, okay. Is that the  
 12 area outside of the incorporated limits of  
 13 Toledo?  
 14 A. Correct.  
 15 Q. Is that in Lucas County?  
 16 A. Yes, out near the airport.  
 17 Q. You stated that Barton's, one of Barton's  
 18 main customer was Ohio Bell. You said that  
 19 you had also hauled for Ohio Bell; is that  
 20 correct?  
 21 A. Correct.  
 22 Q. So who stole Ohio Bell from whom?  
 23 A. We acquired it after he sold his company to  
 24 somebody else, to the successor

1 corporation, through a bid. They bid it  
 2 every couple of years.  
 3 Q. Did he have it most of the time, and then  
 4 after he sold, you got it?  
 5 A. Correct.  
 6 Q. Do you know whether the corporation was  
 7 dissolved upon its sale to R & K Refuse?  
 8 A. No, I don't.  
 9 Q. Other than Mr. Barton and Harry Heldt, do  
 10 you know of any other people that worked  
 11 for Barton Sanitation?  
 12 A. His son.  
 13 Q. What is his son's name?  
 14 A. His son's name is Marcus, Jr., a school  
 15 teacher for Washington Township Schools.  
 16 Q. Marcus, Jr. is not in the sanitation  
 17 business?  
 18 A. No, no.  
 19 Q. Never has been?  
 20 A. No.  
 21 Q. To the best of your knowledge, the father,  
 22 Marcus O. Barton is deceased?  
 23 A. That's correct.  
 24 Q. Are you familiar with, I think this is a

1 person, Clifton Hill?  
 2 A. Yes, I am.  
 3 Q. Can you state who Clifton Hill was, is?  
 4 A. Clifton Hill was a minority contractor, had  
 5 one truck, worked out of his home, and  
 6 picked up downtown here, in fact, where  
 7 we're at, down these alleys here, picking  
 8 up for these dry goods stores and barber  
 9 shops and things like that.  
 10 Q. Was he a sole proprietorship, to the best  
 11 of your knowledge?  
 12 A. Yes, he was.  
 13 Q. What years did Mr. Hill operate?  
 14 A. I believe he operated from 1965 until 19 --  
 15 golly, '85, to the best of my knowledge.  
 16 Q. Is he deceased now?  
 17 A. No.  
 18 Q. Do you know where he works now?  
 19 A. I believe for City Disposal.  
 20 Q. What does he do for City Disposal?  
 21 A. Driver.  
 22 Q. Did Mr. Hill have any employees?  
 23 A. Not that I know of. He may have had a  
 24 helper, but, I mean, he drove the truck

1 himself.  
 2 Q. And he just had the one truck for the  
 3 duration of his business?  
 4 A. Oh, I'm sorry, Clifton Hill. There's  
 5 another Hill, Hills Trucking, there's two  
 6 of them.  
 7 Q. Who were you answering these series of  
 8 questions for?  
 9 A. This was another, Jim Hill, I'm sorry. Jim  
 10 Hill. Let's get that straight; I'm sorry.  
 11 Q. Did Mr. Jim Hill have only one truck?  
 12 A. Yes.  
 13 Q. What type of truck was it?  
 14 A. A rear load compaction type truck.  
 15 Q. What did his truck look like?  
 16 A. It was a white truck.  
 17 Q. To your knowledge, did it indicate Jim Hill  
 18 on it?  
 19 A. On the door. He had a small lettering on  
 20 the door, it said Jim Hill Trucking.  
 21 Clifton didn't have any identification on  
 22 his trucks.  
 23 Q. We'll get to Clifton in a minute. Other  
 24 than dry goods stores or barber shops, what

1 other type of waste did Mr. Hill haul?  
 2 A. Some apartment houses, I suppose. I don't  
 3 know the exact nature of every one of his  
 4 customers.  
 5 Q. I'm just asking to the best of your  
 6 knowledge. Do you know, did he have any  
 7 large commercial accounts, to the best of  
 8 your knowledge?  
 9 A. Woolworth's.  
 10 Q. Did he have any industrial accounts, to  
 11 your knowledge?  
 12 A. Not to my knowledge.  
 13 Q. Did Mr. Hill close his operations in 1985?  
 14 A. Yes.  
 15 Q. How did he do so?  
 16 A. I don't know. I just heard he was out of  
 17 business.  
 18 Q. To the best of your knowledge, did he sell  
 19 out to another entity?  
 20 A. No, I don't believe he did. I think he  
 21 just basically, his business deteriorated  
 22 to the point where it just wasn't  
 23 profitable, and he just stopped picking up  
 24 the customers.

1 Q. In 1985, is that when he started working  
 2 for City Disposal?  
 3 A. No.  
 4 Q. Do you know what he did right after he  
 5 stopped?  
 6 A. No, I do not, no.  
 7 Q. Do you know when he started working for  
 8 City Disposal?  
 9 A. Probably about a year ago.  
 10 Q. Do you know, between the years 1985 and  
 11 1994, do you have any idea what he may have  
 12 had done?  
 13 A. No, I do not.  
 14 Q. Let's go to Clifton Hill. Was Clifton Hill  
 15 in the disposal business?  
 16 A. Yes.  
 17 Q. What was the name of the business that he  
 18 operated?  
 19 A. I think he called himself Hills Trucking,  
 20 too.  
 21 Q. Do you know whether he was incorporated?  
 22 A. No, he wasn't incorporated, as far as I  
 23 know.  
 24 Q. What years did he operate?

1 A. '60, I would say early '60's until he  
 2 retired in late '85.  
 3 Q. Did he have any employees? Prior to his  
 4 retirement, did he have any employees?  
 5 A. He had a nephew or somebody that worked for  
 6 him. I think that's who ended up with the  
 7 business after he got out. Who that nephew  
 8 is, I don't know.  
 9 Q. Do you know if at any time during that time  
 10 period, he had more employees than just a  
 11 nephew?  
 12 A. No, he just had him and one other guy.  
 13 Q. How many trucks did he have?  
 14 A. Two.  
 15 Q. What type of trucks did he have?  
 16 A. Compaction, rear load type trucks.  
 17 Q. What color were they?  
 18 A. Green.  
 19 Q. And they did not have his name on the  
 20 door or on the truck?  
 21 A. No, they did not.  
 22 Q. Who were his main customers?  
 23 A. Again, he competed with this Jim Hill for  
 24 the downtown area here; the office

1 buildings, like the Toledo Edison building  
 2 over here, and various other accounts.  
 3 Q. So it was Hill versus Hill in the downtown  
 4 area?  
 5 A. That's correct.  
 6 Q. Did he have any large commercial accounts,  
 7 to the best of your knowledge?  
 8 A. No, he did not.  
 9 Q. You are sure that he did not have any?  
 10 A. Yes.  
 11 Q. Did he have any industrial accounts, to  
 12 your knowledge?  
 13 A. Not to my knowledge.  
 14 Q. Where did he haul his waste?  
 15 A. He went to the city landfills, whichever  
 16 one was available to him at the time.  
 17 Q. Did he haul to the Stickney Landfill, to  
 18 your knowledge?  
 19 A. To the best of my knowledge, yes.  
 20 Q. Did he haul to the Tyler Landfill?  
 21 A. Yes.  
 22 Q. What years, to the best of your knowledge,  
 23 did he haul to Stickney?  
 24 A. Say early '60's.

1 Q. What years did he haul to the Tyler  
 2 Landfill?  
 3 A. They have to be about the same time,  
 4 because Tyler was open before Stickney was.  
 5 He was in business long before I was, so I  
 6 don't know, you know, where he hauled prior  
 7 to me going into business.  
 8 Q. Did he haul to the Dura Landfill?  
 9 A. Yes, I saw his trucks in the Dura Landfill?  
 10 A. Was there a period of time that Stickney,  
 11 Tyler and Dura were all open?  
 12 A. I remember them reopening the Tyler Street  
 13 Landfill.  
 14 Q. What year was that approximately?  
 15 A. '70, excuse me, '67.  
 16 Q. Was that reopened for everyone?  
 17 A. For a short period of time.  
 18 Q. For how long?  
 19 A. I'd say maybe a year.  
 20 Q. So in 1967 were Stickney, Tyler and Dura  
 21 all operating?  
 22 A. I believe so.  
 23 Q. How did you choose between Stickney, Tyler  
 24 and Dura?

1 A. I'll be real frank with you, I don't know.  
 2 I don't remember how we did that.  
 3 Q. Did you just go the landfill that might  
 4 have been the closest?  
 5 A. No, I think that there, it probably was a  
 6 diversionary thing by the city, where the  
 7 city told you to go here while they did  
 8 some maintenance at one of the other  
 9 landfills, and had you use this facility.  
 10 I'm assuming that's how we did that,  
 11 because the primary landfill at the time  
 12 was Dura, and I think what they wanted to  
 13 do was finish filling up the Tyler Street  
 14 dump. So they wanted to get that filled up  
 15 and done with as soon as possible. So I  
 16 think they diverted most of the people to  
 17 that facility, and then did some  
 18 maintenance at the other landfills.  
 19 Q. But as far as you now, the three landfills  
 20 were open only for about a year, all three  
 21 at the same time?  
 22 A. They may have been open at the same time,  
 23 but whether or not we could use them at the  
 24 same time, I don't believe so. I think



<p style="text-align: center;">79</p> <p>1 that what they were doing is that the 2 Stickney was being developed, the Dura was 3 being phased out, the Tyler had been 4 closed. So it was a sequential event. 5 They may have all been open in the same 6 year, but not been in the use by the people 7 at that same time. I don't remember having 8 the opportunity or to take a choice of 9 three landfills. That never did occur to 10 me. 11 Q. So the city always directed which landfill 12 was to be used? 13 A. That's correct. 14 Q. Mr. Benton, I thought that the Dura 15 Landfill was the landfill that was up 16 latest in time. Am I incorrect? 17 A. No, yes, you are. I remember using the 18 Stickney at some later time after we 19 couldn't use the Dura. 20 Q. Do you know what year that might have been? 21 A. Again, I'm speculating, in the, you know, 22 late '60's, maybe the first part of '70. 23 Q. Are you familiar with an entity called B &amp; 24 R Trucking?</p>	<p style="text-align: center;">82</p> <p>1 located? 2 A. I would say the east side of Toledo 3 somewhere. 4 Q. Did he have any large commercial accounts, 5 to your knowledge? 6 A. No, he did not. 7 Q. And that was because it was a part time 8 business? 9 A. That's correct. 10 Q. Do you know, what happened in 1980 to his 11 business? 12 A. I think R &amp; K Refuse, excuse me, I'm wrong. 13 Because I acquired R &amp; K in 19 -- I didn't, 14 but Waste Management acquired the R &amp; K 15 Refuse Company, the individual that 16 formally owned the R &amp; K Refuse Company 17 formed another company and acquired his 18 assets. 19 Q. Who was that individual? 20 A. Kenny Timmins. 21 Q. T-I-M-M-O-N-S? 22 A. It's Timming, I'm sorry. T-I-M-M-I-N-G. 23 Q. He purchased the assets of B &amp; R Trucking 24 in 1980?</p>
<p style="text-align: center;">80</p> <p>1 A. Yes. 2 Q. Was that a disposal company? 3 A. Yes. 4 Q. Who was the main operator of B &amp; R 5 Trucking? 6 A. Mr. Robert Asman. 7 Q. Could you spell the last name, please? 8 A. A-S-M-A-N. 9 Q. I'm sorry, A-S-M-A-N? 10 A. A-S-M-A-N, Asman. 11 Q. Was B &amp; R Trucking incorporated, to the 12 best of your knowledge? 13 A. I do not know. 14 Q. What years did B &amp; R Trucking operate? 15 A. My understanding is they operated through 16 the '50's, and through the, early on in the 17 '50's to 19 -- roughly 1980. 18 Q. 1980? 19 A. Uh-huh. 20 Q. Say approximately 1955, if you know, how 21 many trucks would Mr. Asman have had? 22 A. He had one. 23 Q. Did he more than one truck at any time 24 during the period 1955 to 1980?</p>	<p style="text-align: center;">83</p> <p>1 A. There or about. 2 Q. Tell me what you know about Community 3 Sanitation Services? 4 A. It will be a short dissertation. I believe 5 it was founded by Mrs. Eleanor Brown, and I 6 believe Mr. Barton at one was a partner of 7 hers. There was a division of the company 8 or somehow he, being the supposedly nice 9 guy, got the short end of the stick and he 10 was left to go on his own, and she took the 11 business from that point on. 12 Q. Excuse me, I thought you said that 13 Community had acquired Barton? 14 A. No. 15 Q. No? 16 A. No. 17 Q. He separated -- 18 A. That was Freeman that had acquired, or 19 Community Sanitation had acquired Freeman. 20 Q. Continue on about. 21 A. R &amp; K Refuse acquired whatever assets were 22 left of Barton and the one truck. Okay? 23 Q. Okay. 24 A. Now, at the time that I started in business</p>
<p style="text-align: center;">81</p> <p>1 A. He may have acquired a second truck. To 2 give you a little background, I know I'm 3 not supposed to elaborate here, but I will 4 in this case. He worked for the Ohio 5 Turnpike Commission. This was a part time 6 job, and he picked up residential waste in 7 the east side of Toledo. That was the 8 nature of his business. 9 Q. He would pick up apartment buildings? 10 A. No, he just had some residential homes he 11 took care of on a subscription type basis, 12 because it was a part time job with him, 13 and it never really did get into any full 14 fledged business. 15 Q. Were these homes within the city limits of 16 Toledo? 17 A. No. 18 Q. And they weren't in an incorporated area? 19 A. That is also correct. 20 Q. Did anyone work with Mr. Asman to the best 21 of your knowledge? 22 A. Is Mr. Asman still living? 23 A. I assume he is, yes. 24 Q. Do you have any idea where he might be</p>	<p style="text-align: center;">84</p> <p>1 in 1960, they were the primary contractor 2 in the Toledo area. They were located, I 3 believe at that time, on Secor Road, before 4 they moved to the Hagman Road site, which 5 was their landfill site. 6 And they operated some, probably 7 thirty or forty trucks at that time, and 8 semivans at various industrial accounts 9 throughout the city. Mrs. Brown fell ill 10 in the early '60's, and their company was 11 acquired sometime in the middle '60's, '67 12 or something, by BFI, after she passed 13 away. They carried on the company from 14 that point on. 15 Q. Did you consider yourself to be a 16 competitor of Community Sanitation 17 Services? 18 A. Well, I liked the thought I was a 19 competitor, even though I had one truck 20 back then; yes. 21 Q. You only had -- 22 A. In the early '60's, I'm sorry, when they 23 were the giant here in Toledo. 24 Q. Early '60's. But by the time Community</p>

1 Sanitation Services sold out to BFI, you  
2 had a lot more trucks then?  
3 A. Yes, that's correct.  
4 Q. So was your business getting better and the  
5 business of Community Sanitation Services  
6 getting worse in approximately 1967?  
7 A. I would say that with the growth that was  
8 going on in the area at that time, and  
9 there were several municipalities that  
10 didn't have refuse collection, I would  
11 think that it was just an increase of  
12 business all the way around, because their  
13 business is still, had still maintained  
14 itself through that period of time.  
15 To maybe educate you in the solid  
16 waste field real quick, a lot of the  
17 companies back in the '60's and '50's  
18 hauled their own refuse. And there was  
19 kind of a virgin area, so to speak, to go  
20 in and do analysis and tell them there's a  
21 better way to do it, you don't have to do  
22 it, we can do it for you.  
23 Community Sanitation kind of had  
24 the jump on that and were ahead of

1 everybody else. But there was still a lot  
2 of areas that were available to companies  
3 with some growth in mind. We just happened  
4 to be fortunate to be one of those.  
5 Q. Do you ever remember any circumstance in  
6 which you were successfully able to bid an  
7 account and get the contract of an entity  
8 previously serviced by Community Sanitation  
9 Service?  
10 A. Oh, sure. Sure, the City of Maumee, the  
11 City of Perrysburg. I mean, these were  
12 contracts that they had.  
13 Q. Any commercial or industrial accounts that  
14 you successfully outbid Community  
15 Sanitation Services?  
16 A. A & P was one of them.  
17 Q. Any other accounts?  
18 A. No. Likewise, they took accounts from me.  
19 I mean, I can remember the Craftmaster  
20 Paint My Number Company. I mean, I had  
21 that for years and they came in and took it  
22 away from me. They took the, I was trying  
23 to think of, The Kroger account, I think  
24 they took that away from me. So there was

1 give and take in this business of, accounts  
2 did go back and forth.  
3 Q. What did the Craftmaster, was that the name  
4 of the company, Craftmaster?  
5 A. Yes, uh-huh.  
6 Q. What do they do?  
7 A. They made paint-by-number.  
8 Q. Like coloring books or painting books?  
9 A. Yeah, something like that, yeah, where they  
10 would paint a picture.  
11 Q. Did they formulate paints in any way?  
12 A. I'm sure they did.  
13 Q. What years did you service the Craftmaster  
14 account?  
15 A. 1968, '69.  
16 Q. What did you haul for Craftmaster?  
17 A. The imperfect printed things, where they  
18 paint the pictures on, and any of the  
19 shipping debris, and anything else they  
20 might have over there.  
21 Q. But they did formulate paints?  
22 A. Yes. They had an incinerator there, too.  
23 Q. To the best of your knowledge, did they  
24 incinerate all of their off spec paints?

1 A. To the best of my knowledge, I did not  
2 haul liquid waste out of there.  
3 Q. Do you know who did haul liquid waste from  
4 the Craftmaster plant during the years 1968  
5 and '69?  
6 A. No, I do not.  
7 Q. Where did you take the waste of Craftmaster?  
8 A. Craftmaster either went to King Road or it  
9 went to Dura Landfill.  
10 Q. How did you decide between King Road or  
11 Dura?  
12 A. One was basically when you're dispatching  
13 your drivers is if his next load is on the  
14 west end of town, you want to get him as  
15 close to that part of town. Or if it's on  
16 the north end, you'd go, you'd dump in the  
17 other landfill.  
18 Q. You did have to pay at King Road, did you  
19 not?  
20 A. Yes.  
21 Q. And Dura Landfill was free, was it not?  
22 A. At that time, yes.  
23 Q. It was subsequently that you had to pay to  
24 dump at Dura?

1 A. No, but that didn't last, I think if you, I  
2 don't have the records here when Dura was  
3 closed, but I think it was closed somewhere  
4 during that period of time. We only went  
5 there for a short period of time with that,  
6 and then we were barred from using the  
7 landfill any more; they closed it. They  
8 only let the city trucks use it.  
9 Q. Until what year did they let the city  
10 trucks use it?  
11 A. I don't know. I do not know, but I know  
12 that they barred that from commercial use  
13 some time in the '60's, late '60's.  
14 Q. If you had both King Road and Dura  
15 available to you, did you make some type of  
16 cost benefit analysis as to which landfill  
17 you would go to?  
18 A. Again, as I said before, when their  
19 landfill is way in the north end of Toledo,  
20 the city's landfill, and the King Road  
21 Landfill was on the west end of the city,  
22 my business was on the west end of the  
23 city. For me to run a truck clear across  
24 town for \$20.00 or whatever it was to

1 dispose of it at that time, it didn't make  
2 a lot of sense many times, because I was  
3 going the other way.  
4 Q. So it was cheaper for you to go to the King  
5 Road Landfill, even though you might have  
6 to pay a tipping fee at King Road?  
7 A. That's correct.  
8 Q. Is there anything else about Community  
9 Sanitation Services that you can tell me?  
10 A. No.  
11 Q. What do you know about Fondessy Disposal  
12 Services? What was their name that they  
13 operated under?  
14 A. Fondessy Enterprises, Inc..  
15 Q. Fondessy Enterprises, Inc. And was it the  
16 name under which they did business?  
17 A. Yes.  
18 Q. Who ran that corporation?  
19 A. Robert Fondessy.  
20 Q. There were some other Fondessy brothers  
21 involved with that corporation, were there  
22 not?  
23 A. Rolland and Rich, Richard.  
24 Q. What was Robert Fondessy's role?

91			94		
1	A.	President.	1		fee at Otter Creek Road?
2	Q.	Was he, to the best of your knowledge,	2	A.	No, I don't. I never used their facility.
3		involved in the day to day operations of	3		Let me say, I never -- boy, that got me
4		Fondessy?	4		into a big one. Let's rephrase that. The
5	A.	Yes, he was.	5		only time I used their facility was for the
6	Q.	What was Rolland's role?	6		container that I hauled from Sun Oil for
7	A.	I think Rolland's was more operations, and	7		them. I never paid to dump in their
8		Rich was more maintenance.	8		facility. Let's put it that way. I mean,
9	Q.	What do you mean by operations?	9		I never dumped any of my own product in
10	A.	Well, Rolland was the type that would, you	10		their landfill.
11		know, open the company up and put it to bed	11	Q.	They had the waste disposal business, they
12		at night, where Bob was the President,	12		had the crane rental, and they had the
13		administrative arm of the thing. Rich was	13		landfill business.
14		the maintenance guy, made sure the trucks	14	A.	They were in the waste oil pick up business.
15		were fixed and -- they were in several	15		Ace Oil.
16		types of businesses, not just the trash	16	Q.	Ace Oil was their waste oil pick up
17		business.	17		business?
18	Q.	Let's for a minute confine ourselves to the	18	A.	Correct.
19		disposal business. Would Robert be	19	Q.	What was Ace Oil's major accounts, to the
20		primarily the one that would seek accounts	20		best of your knowledge?
21		or do the advertising for the company?	21	A.	I assume service stations, those types of
22	A.	No, oh, yes, Robert was. I was thinking of	22		things, because they had big lagoons there
23		Rolland, no, Robert.	23		at one time where they ponded the oil, and
24	Q.	What else might Robert do?	24		then used the oil to oil roads with.
92			95		
1	A.	Well, he had a myriad of small companies	1	Q.	Where did they have the lagoons?
2		there of which the waste company was just	2	A.	On site, on their landfill site.
3		one of them. I mean, they were in the	3	Q.	Is that the site at Otter Creek Road?
4		contracting business, they were in the	4	A.	Otter Creek Road, I'm sorry.
5		crane rental business, they were in the	5	Q.	To the best of your knowledge, did they
6		landfill business at the time. So they had	6		have any major commercial or industrial
7		several little operations going.	7		accounts for waste oil, Ace Oil?
8	Q.	Why don't you tell me all the businesses	8	A.	I don't know.
9		that the Fondessy's ran.	9	Q.	Did they ever take any of this waste oil to
10	A.	They had a company called The Jeffers Crane	10		the Stickney Landfill?
11		Rental Company.	11	A.	Not that I'm aware of.
12	Q.	They rented cranes?	12	Q.	To the Tyler Landfill?
13	A.	Uh-huh.	13	A.	No.
14	Q.	Did they do anything else?	14	Q.	To the Dura Landfill?
15	A.	Then they were in the --	15	A.	Not that I'm aware of.
16	Q.	No, did Jeffers Crane Rental do anything	16	Q.	Did they haul any waste oil for Sun Oil?
17		else?	17		Did the Ace Oil Company haul any oil for
18	A.	Oh, not that I know of.	18		Sun Oil or Gulf Oil, excuse me, for Sun
19	Q.	What else did they do?	19		Oil?
20	A.	They were in the contracting business.	20	A.	Not that I'm aware of.
21		They did government work, like dike work	21	Q.	For Gulf Oil?
22		along Lake Erie and so forth.	22	A.	Again, not that I'm aware of.
23	Q.	Did they work for any other entities other	23	Q.	Your only commercial relationship with the
24		than governmental entities?	24		Fondessy's was your hauling from Sun Oil,
93			96		
1	A.	BP, Sun Oil.	1		is that correct?
2	Q.	Does BP stand for British Petroleum?	2	A.	That's correct.
3	A.	Yes, at that time it was called Standard	3	Q.	You had no other contract or other business
4		Oil, it wasn't BP.	4		relationship with them during the years
5	Q.	What did they do for Standard Petroleum?	5		that you operated Benton Village
6	A.	Just on site back hoe equipment rentals,	6		Sanitation?
7		hauled material around the plant.	7	A.	None, this was a courtesy, that was all.
8	Q.	What was the other entity, Sun Oil?	8	Q.	None of the other entities that you
9	A.	Yes, Sun was another one of their accounts.	9		operated, what is it, Village Sanitation
10	Q.	What did they do for Sun Oil?	10		Service, or Benton Enterprises, Inc. --
11	A.	Pretty much the same thing they did for	11	A.	None of those DBA's or names that you've
12		Standard Oil.	12		mentioned previously --
13	Q.	They hauled material around the plant?	13	Q.	Tidy Disposal.
14	A.	Right, and they also provided landfill	14	A.	Tidy, had any connection at all, or any
15		space in their landfill for both BP and	15		contracts with the Fondessy Enterprises,
16		Sun.	16		Inc..
17	Q.	Where was their landfill located?	17	Q.	What was the relationship of the Fondessy
18	A.	Otter Creek Road.	18		Brothers to Paul Jeffers?
19	Q.	They owned this landfill?	19	A.	It was my understanding that they bought
20	A.	Correct.	20		his crane rental business, and then he
21	Q.	Were they the only entity which owned this	21		retired.
22		landfill?	22	Q.	Do you know what year this may have been?
23	A.	At that time, yes.	23	A.	Early '70's.
24	Q.	Do you know what they charged for a tipping	24	Q.	Was there any other relationship between



1 Fondessy and Paul Jeffers, to the best of  
2 your knowledge?  
3 A. Not that I'm aware of.  
4 Q. Excuse me a minute. Are you aware of any  
5 employees from Fondessy Enterprises, Inc.?  
6 Do you know the names of any individuals  
7 that work for Fondessy Enterprises, Inc.?  
8 A. Right now? I mean --  
9 Q. Do you know of anyone that worked for them?  
10 A. Yes, a Dan Cousino.  
11 Q. Can you spell the last name, please?  
12 A. C-O-U-S-I-N-O.  
13 Q. Is that the way you pronounce it?  
14 A. Cousin, like Cousin O, C-O-U-S-  
15 Q. And that's pronounced Cousino?  
16 A. C-O-U-S-O-N-O, Cousono.  
17 Q. I see the name, but I thought it was going  
18 to be pronounced Cousino or something like  
19 that.  
20 A. Because that doesn't look right, but that's  
21 right.  
22 Q. What was Mr. Cousino's position?  
23 A. I think he was in marketing.  
24 Q. Do you have any idea what years he was

1 employed by Fondessy Enterprises, Inc.?  
2 A. It would be 1960's to let's say, '78, '79.  
3 Q. Is Mr. Cousino still living?  
4 A. Yes.  
5 Q. Do you know where he might be located?  
6 A. I sure do. He's running a company called  
7 Ace Disposal Service here in Toledo.  
8 Q. Is he the president of that company?  
9 A. He sure is.  
10 Q. When did he start that company?  
11 A. I think it was like 1980.  
12 Q. So right after he left the Fondessy's?  
13 A. Yes.  
14 Q. Do you know of anyone that was employed by  
15 Fondessy Enterprises, Inc.?  
16 A. No, I don't.  
17 Q. What was the entity of the Fondessy's that  
18 was the construction company? Do you know  
19 that name?  
20 A. No, I don't. I always thought it was  
21 Fondessy Enterprises.  
22 Q. Oh, I thought you said that was the waste  
23 disposal service?  
24 A. They called, that's what they called all

1 their operations. Their waste disposal was  
2 Fondessy Enterprises, they had Ace Oil pick  
3 up, but their contracting firm, I assumed  
4 that was the same thing, Fondessy  
5 Enterprises.  
6 Q. Do you have any idea whether these were  
7 separate corporations or was it all under  
8 one big umbrella?  
9 A. I'm assuming that it was under one major  
10 corporation.  
11 Q. Did they do any highway construction?  
12 A. Not that I know of.  
13 Q. Road construction?  
14 A. It was more earth moving type of thing,  
15 dump trucks, things like that.  
16 Q. Did they do anything that would generate  
17 construction waste, other than earth?  
18 A. No.  
19 Q. So they would just level an area for  
20 someone else to come in and build?  
21 A. That or, for instance, along Lake Erie,  
22 they put a lot of shoreline protection in,  
23 rip rap and rock, and they put in a crane  
24 out there and trucks would haul these big

1 stones to build dikes to protect the  
2 shoreline. They did a lot of that work.  
3 Q. Would that work have generated any waste?  
4 A. No.  
5 Q. Paul Jeffers also operated a company, did  
6 he not? Paul Jeffers, Inc.?  
7 A. See, all I know was the name of the company  
8 was Jeffers Crane, and a man by the name of  
9 Paul Jeffers owned it. That's the extent  
10 of my knowledge of Jeffers Crane Service.  
11 Q. So you have no particular knowledge about  
12 an entity called Paul Jeffers, Inc.?  
13 A. No, I do not.  
14 Q. Do the Fondessy's operate an entity called  
15 Envirosafe Services now? Environmental  
16 Safe Services?  
17 A. No. They sold their Otter Creek operation  
18 to Envirosafe Services.  
19 Q. What year was that?  
20 A. 1987, '88.  
21 Q. Who operates Envirosafe Services?  
22 A. That's the name of the company, Envirosafe  
23 Services, Inc. They're a publicly held  
24 corporation out of Philadelphia.

1 Q. Do you know who the head of the operations  
2 would be here?  
3 A. Contact? No, but a contact name is a Jim  
4 Hamilton. Their offices are on Navarre  
5 Avenue on the east side of Toledo.  
6 Q. N-A-V-A-R-R-E?  
7 A. Correct.  
8 Q. You are familiar with an entity called R &  
9 K Disposal?  
10 A. Correct.  
11 Q. Who operated R & K Disposal?  
12 A. Mr. Ken Timming.  
13 Q. What years did Mr. Timming operate R & K?  
14 A. He operated R & K late '50's through 1971,  
15 when it was acquired by Waste Management.  
16 Q. In the late '50's, how many trucks did Mr.  
17 Timming have?  
18 A. One.  
19 Q. Did he increase the number of trucks he  
20 had?  
21 A. Yes.  
22 Q. How many trucks did he have during the  
23 heyday of the business?  
24 A. Five.

1 Q. Approximately what year was that?  
2 A. 1971.  
3 Q. What were his major commercial accounts?  
4 A. He had about 900 small commercial accounts  
5 throughout the city. He didn't have any  
6 one major large account.  
7 Q. What entities were his main accounts with  
8 then?  
9 A. They would be like, you know, with a  
10 convenience store. He'd have a container  
11 there or a gas station or an apartment  
12 house.  
13 Q. What type of waste did he haul?  
14 A. Generally solid waste.  
15 Q. Did he haul any drummed waste or liquid  
16 waste, to your knowledge?  
17 A. Not to my knowledge.  
18 Q. Did Fondessy Enterprises haul any drummed  
19 waste or liquid waste, to you knowledge?  
20 A. I believe they did.  
21 Q. Who did they haul drummed or liquid waste  
22 for?  
23 A. I don't know. I just remember seeing their  
24 trucks hauling some drums.

103			106		
1	Q.	Did you see any of these trucks at the Stickney Landfill?	1	A.	Yes.
2	A.	No.	2	Q.	What was your involvement with the
3	Q.	The Tyler Landfill?	3		thirty-four acre sanitary landfill in
4	A.	No, I did not.	4		Northwood?
5	Q.	The Dura Landfill?	5	A.	My involvement as manager of the company
6	A.	No. I saw them at their landfill.	6		was to walk the permitting process through
7	Q.	Only at their landfill?	7		to the point of getting the proper permits
8	A.	Correct.	8		to operate a sanitary landfill on this
9	Q.	How often were you at the Otter Creek Road	9		site.
10		Landfill?	10	Q.	Which company was trying to develop the
11	A.	Sometimes twice a week.	11		landfill in Northwood Village?
12	Q.	And that was in connection with your	12	A.	Benton Village Sanitation Service, Inc.
13		hauling for Sun Oil?	13	Q.	Was this prior to your acquisition by Waste
14	A.	That's correct.	14		Management, Inc.?
15	Q.	Did you go to Otter Creek Road for any	15	A.	Yes.
16		other business?	16	Q.	Who was going to own the landfill?
17	A.	We had, occasionally, we'd have what we	17	A.	Benton Village Sanitation Service, Inc.
18		called a refuse contractor's meeting that	18	Q.	You owned the land at the time you were
19		Mr. Fondessy would host once every six	19		seeking the permit? Benton Village
20		months or something.	20		Sanitation Service, Inc. owned the land?
21	Q.	You say you were at Stickney, Tyler or Dura	21	A.	That's correct; that's correct.
22		only about a couple of times a week; is	22	Q.	Why were you seeking to open a sanitary
23		that correct?	23		landfill?
24			24	A.	Because the, A, the proximity of the
104			107		
1	A.	That's correct.	1		landfill between the two expressways was an
2	Q.	So it is possible that Fondessy did haul to	2		ideal site; secondly, we knew --
3		Stickney, Tyler, or Dura, haul drummed	3	Q.	Excuse me, between which expressways?
4		waste?	4	A.	Oh, excuse me, between the expressway of
5	A.	Okay. I did not see them hauling drummed	5		Route 75 and I-280, on Wales Road.
6		waste to those facilities.	6		Secondly, we knew that the landfills were
7	Q.	But when you were, you don't know what they	7		reaching capacity or had reached capacity
8		did? When you were not at Stickney, Tyler,	8		in the area, and to stay competitive we
9		or Dura, you would have no knowledge?	9		would have to have our own landfill.
10	A.	I would have no knowledge.	10	Q.	Which landfills were reaching capacity at
11	Q.	Where did R & K haul its waste?	11		the time that you were --
12	A.	R & K used the Dura facility, used the King	12	A.	The city landfills and the King Landfill.
13		Road facility, and they may have used the	13	Q.	Specifically, the Stickney Landfill?
14		Gradel facility, Westover Landfill, which	14	A.	No, the King Road Landfill.
15		is directly across the street on Otter	15	Q.	Which landfills did you refer to when you
16		Creek Road from the Fondessy site.	16		said, the city landfills?
17	Q.	Was the Westover Landfill a privately owned	17	A.	All the city landfills.
18		landfill?	18	Q.	Could you specify which landfills they
19	A.	Yes, correct.	19		were, sir?
20	Q.	Who owned that landfill?	20	A.	Okay, the Dura and Stickney Landfill, which
21	A.	George Gradel Company.	21		we had already been at that time, had
22	Q.	Could you spell that last name?	22		already been basically cut from using. We
23	A.	G-R-A-D-E-L.	23		couldn't use them, even though they were
24	Q.	Did Mr. Gradel operate a hauling service?	24		still open because the city was trying to
105			108		
1	A.	No.	1		extend their life until they could open
2	Q.	They just operated the landfill?	2		their own new site on Hoffman Road.
3	A.	Correct.	3	Q.	Was that Huffman or Hoffman?
4	Q.	Did they have any other line of business?	4	A.	Hoffman.
5	A.	They're contractors.	5	Q.	And the King Road Landfill was also
6	Q.	What type of contractors?	6		reaching capacity at that time?
7	A.	Excavating, site contractors.	7	A.	That is correct.
8	Q.	Was their business similar to the	8	Q.	Were there any other landfills that were
9		Fondessy's construction business?	9		reaching capacity at that time?
10	A.	Yes.	10	A.	No.
11	Q.	Can we go off the record for a minute.	11	Q.	You said that you needed to open your own
12		(SHORT BREAK TAKEN)	12		landfill in order to remain competitive.
13	Q.	I would like to have this marked as Exhibit	13		Did most of the disposal services that were
14		1.	14		operating in 1971 operate their own
15		(U.S. EPA EXHIBIT NO. 1 MARKED FOR	15		landfill?
16		IDENTIFICATION PURPOSES)	16	A.	Our primary competitor, which was BFI at
17		MR. BLOOM: Okay. I don't	17		the time, had recently opened their Hagman
18		have any problem with this.	18		Road landfill site.
19	Q.	Mr. Benton, I'm showing you an article that	19	Q.	That's H-A-G-M-A-N?
20		purports to be an article from The Toledo	20	A.	Correct.
21		Blade from December 12, 1971, entitled,	21	Q.	Did any of your other major competitors
22		Permits Okayed at Northwood, and it	22		have their own landfill in 1971?
23		discusses a thirty-four acre sanitary	23	A.	Fondessy.
24		landfill. Do you see the exhibit?	24	Q.	Any other entity?

1 A. No.  
 2 Q. If you would mark this Exhibit 2 for  
 3 identification.  
 4 (U.S. EPA EXHIBIT NO. 2 MARKED FOR  
 5 IDENTIFICATION PURPOSES)  
 6 Mr. Benton, I have Exhibit 2 which  
 7 is an article. Unfortunately, the source of  
 8 the article is not indicated. I think it  
 9 was from The Toledo Blade, but I am not  
 10 sure. The date of the article, of the  
 11 newspaper article, was June 5, 1972. The  
 12 headline is, Sanitation Firm Charges  
 13 Officials Block Landfill.  
 14 Can you tell me, in your own words,  
 15 what was happening, or what happened with  
 16 your attempts to create a landfill within  
 17 Northwood Village?  
 18 A. Well, the county commissioners felt that  
 19 they had the right to administrative action  
 20 in this particular case, and decided not to  
 21 grant a permit to operate a landfill that  
 22 we had asked for.  
 23 Q. That would be the Wood County  
 24 Commissioners?

1 A. That's correct, the Wood County  
 2 Commissioners, and basically, the reasoning  
 3 for that was that they were opening their  
 4 own landfill in the Bowling Green area, and  
 5 felt that this may deprive them of some  
 6 waste in that area. That was not the case,  
 7 and we went to court over this matter.  
 8 Q. What was the basis of your lawsuit?  
 9 A. Ultimately, that they did not have the  
 10 right to, through their Wood County Solid  
 11 Waste District, to deprive us of operating  
 12 a landfill since they were not receiving  
 13 the volume in the first place. Had they  
 14 been receiving the volume of material in  
 15 the first place, and we had taken it away  
 16 from them, then they might have a cause of  
 17 action. In this particular case, they  
 18 weren't receiving the material anyway.  
 19 Q. So it was not a successful landfill? The  
 20 one that the Wood County Commissioners were  
 21 operating?  
 22 A. No, it was a successful landfill. It's  
 23 still operating today.  
 24 Q. But your company did not have any

1 appreciable effect on waste taken to that  
 2 landfill?  
 3 A. No, not at all.  
 4 Q. When did you win your lawsuit?  
 5 A. Basically, I left Waste Management prior to  
 6 Waste Management finally acquiring the  
 7 permits to operate. So I don't know  
 8 exactly when the situation was resolved  
 9 with the county commissioners and the  
 10 courts, because I wasn't there.  
 11 Q. So you were no longer part of Benton's  
 12 Village Sanitation or Waste Management when  
 13 the permits were finally received?  
 14 A. That's correct.  
 15 Q. But there was a landfill that was  
 16 ultimately operated in Wood County in  
 17 Northwood?  
 18 A. That's correct, the Evergreen Landfill,  
 19 which is operating today.  
 20 Q. Your psychic, Mr. Benton. Mr. Benton, when  
 21 was Benton Village Sanitation acquired by  
 22 Waste Management, Inc.?  
 23 A. I'm assuming, and again, I don't have my  
 24 documents at this point, late 1970, early

1 '71.  
 2 Q. Mr. Benton, I'd like to show you another  
 3 exhibit, which is being marked Exhibit No.  
 4 3 for identification.  
 5 (U.S. EPA EXHIBIT NO. 3 MARKED FOR  
 6 IDENTIFICATION PURPOSES)  
 7 Exhibit No. 3, Mr. Benton, is an  
 8 article, again unfortunately the source is  
 9 not indicated. I think it was an article,  
 10 however, from The Toledo Blade, and the  
 11 date on the article is January 4, 1972.  
 12 That article indicates that you  
 13 have been, Benton Village Sanitation had  
 14 been acquired by Waste Management, Inc. of  
 15 Illinois around the time that the article  
 16 was written.  
 17 Does looking at that article change  
 18 your estimate as to when Benton Village  
 19 Sanitation was acquired by Waste  
 20 Management, Inc.?  
 21 A. No, this is when the news release, I  
 22 believe, went out on it. I think we were  
 23 acquired in 1971 like I basically said.  
 24 Q. You think it was late 1971?

1 A. Yes.  
 2 Q. What were the terms of sale between Benton  
 3 Village Sanitation and Waste Management,  
 4 Inc.?  
 5 A. It was a stock per stock transfer, where  
 6 Waste Management acquired the debt and  
 7 liability.  
 8 Q. So they received a hundred percent of the  
 9 stock of Benton Village Sanitation?  
 10 A. That's correct.  
 11 Q. According to this news article, you  
 12 received 30,000 shares of Waste Management  
 13 stock? Is that correct?  
 14 A. I believe that's correct.  
 15 Q. At the time that Benton Village Sanitation  
 16 was acquired, was that the only entity that  
 17 you were operating?  
 18 A. No.  
 19 Q. What other entity were you operating?  
 20 A. I still had an interest in the Village  
 21 Transfer Systems, Inc.  
 22 Q. Were you involved in the day to day  
 23 operations of Village Transfer Systems?  
 24 A. No.

1 Q. Did you just own stock in the company at  
 2 that time?  
 3 A. Correct.  
 4 Q. Did Waste Management, Inc. acquire Village  
 5 Transfer Systems?  
 6 A. No, they did not. They had an option, but  
 7 they didn't exercise it.  
 8 Q. Did they acquire any other entity that you  
 9 had an interest in in late 1971?  
 10 A. No, the landfill was part of Benton  
 11 Enterprises, Inc., so they acquired that at  
 12 the same time.  
 13 Q. You're referring to the landfill in Wood  
 14 County?  
 15 A. The proposed landfill on Wales Road in  
 16 Northwood, Ohio. It actually was not an  
 17 operating landfill at that time. It was  
 18 still in the permit process.  
 19 Q. The acquisition of the land for which you  
 20 were seeking permits in Northwood, was that  
 21 part of the stock transfer, or did they  
 22 give you additional consideration for that  
 23 property?  
 24 A. No, it was all a package.

<p style="text-align: center;">115</p> <p>1 Q. Could you list the major assets that Waste Management, Inc. obtained from Benton Village Sanitation pursuant to the stock per stock transfer?</p> <p>2 A. Well, all, you know, basically, all business customers, all operating vehicles.</p> <p>3 Q. How many vehicles did you have at the time?</p> <p>4 A. I believe we had like fifteen at that time.</p> <p>5 Q. How many accounts did you have at the time?</p> <p>6 A. We had about, it says here, 15,000 accounts, and that basically -- Let's break down the 15,000, because about 12,000 of those were residential customers within Maumee and Sylvania city limits that we had a contract with the city on. So if you start counting individual homes, I mean, there's 12,000 accounts. We narrowed it down to like 3,000 commercial and industrial accounts.</p> <p>7 Q. So about 12,000 of the 15,000 accounts are represented by the accounts in the cities of Maumee and Sylvania?</p> <p>8 A. Correct. Waterville and some other sundry small towns around there.</p>	<p style="text-align: center;">118</p> <p>1 Q. How much did you haul for Johns-Manville?</p> <p>2 A. Five loads a day.</p> <p>3 Q. How big were the loads?</p> <p>4 A. Ten cubic yards or bigger.</p> <p>5 Q. Was there anything other than fiberglass in these loads?</p> <p>6 A. No. None of that material, by the way, ever went to any of the city landfills. It all went to King Road Landfill, because they're out in the Waterville area.</p> <p>7 Q. Johns-Manville was in the Waterville area?</p> <p>8 A. Right, right, so they weren't in the City of Toledo limits at all.</p> <p>9 Q. What did they do at this Johns-Manville plant?</p> <p>10 A. They make a bonded mat, and that bonded mat is fiberglass fibers put together, and they sell it to like, the boat industries or the car industries to make fiberglass out of. Whoever makes the fiberglass bodies and stuff adds resin base and so forth. All they made was the bonded mat.</p> <p>11 Q. What do you use to make the bonded mat, if you know?</p>
<p style="text-align: center;">116</p> <p>1 Q. What was the bulk of the other 3,000 accounts acquired by Waste Management, Inc.?</p> <p>2 A. Oh, again, we're talking your A &amp; P stores, your apartment complexes, your malls, shopping centers, discount stores, fast food restaurants, like your Frisch's Big Boy and McDonald's, and places like this.</p> <p>3 Q. What were your ten largest accounts at the time that Waste Management, Inc. acquired Benton Village Sanitation?</p> <p>4 A. The City of Maumee, the City of Waterville, Jeep Corporation, Johns-Manville, A &amp; P.</p> <p>5 Q. The A &amp; P account was for several grocery stores in the Toledo area?</p> <p>6 A. Yes, that's correct.</p> <p>7 Q. That's five, sir. Do you remember five more of your largest accounts?</p> <p>8 A. Yes, K-Mart, the Adams Township School System, Village of Holland, and Village of Waterville.</p> <p>9 Q. You already named them.</p> <p>10 A. Did I?</p> <p>11 Q. Yes.</p>	<p style="text-align: center;">119</p> <p>1 A. Sand. It's glass; silica sand.</p> <p>2 Q. Are there any chemicals used in the process?</p> <p>3 A. None that I know of.</p> <p>4 Q. Did they ever have any type of chemical waste?</p> <p>5 A. Soda ash and sand. Well, the waste, yes, that's what I hauled away was the strands of fibers that were imperfect or whatever that came out of their machines, because their furnaces had to go all the time.</p> <p>6 So I was getting the manufactured item that they couldn't use or the surplus or whatever would drop down in our containers.</p> <p>7 Q. Were there any chemicals used in the process?</p> <p>8 A. No. You'd have to understand what the glass making process is. I don't know as far as any other chemicals, outside of soda ash and sand and heat that they use to make glass out of.</p> <p>9 Q. Were there any dyes that were used in the process?</p>
<p style="text-align: center;">117</p> <p>1 A. The Chevrolet Transmission Plant.</p> <p>2 Q. Where was that plant located?</p> <p>3 A. Alexis Road.</p> <p>4 Q. Was that within the city limits of Toledo?</p> <p>5 A. Yes.</p> <p>6 Q. Was that the power shaft facility?</p> <p>7 A. That's what they call it today. Back then, it was called Chevrolet Transmission Company. Power Trane, I think you're calling it --</p> <p>8 Q. Excuse me, Power Trane, okay, that's right. Do you remember, we've got nine; can you remember another one, another large account?</p> <p>9 A. Scratch my brain here. Lion's stores, that's the five major department stores here in town.</p> <p>10 Q. What time period did you service the Johns-Manville's accounts?</p> <p>11 A. '67 until I sold out to Waste Management.</p> <p>12 Q. What did you haul for Johns-Manville?</p> <p>13 A. Glass, fiberglass.</p> <p>14 Q. How often did you haul for Johns-Manville?</p> <p>15 A. Daily.</p>	<p style="text-align: center;">120</p> <p>1 A. No, it was all white.</p> <p>2 Q. Was there any solvents used to clean the machinery, to your knowledge?</p> <p>3 A. No, because it was in a water base. It went down a stainless steel slide into our unit anyway.</p> <p>4 Q. What type of truck did you have for picking up from them?</p> <p>5 A. A roll off type truck. That's where the container sits on the ground and is pulled up onto the vehicle and then transported to a landfill.</p> <p>6 Q. To your knowledge, there was not any hauling of chemicals from the Johns-Manville plant?</p> <p>7 A. That's correct.</p> <p>8 Q. What years did you service the Chevrolet plant?</p> <p>9 A. 1966 until I sold out in '71.</p> <p>10 Q. Until you sold out in 1971?</p> <p>11 A. Yeah to Waste Management.</p> <p>12 Q. What did you haul for Chevrolet?</p> <p>13 A. I hauled their inplant trash out of a compactor, a company owned compactor. We</p>

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1 just simply supplied the container.  
 2 Q. What did they do at the Chevrolet facility?  
 3 A. They assembled transmissions.  
 4 Q. Did they assemble anything other than  
 5 transmissions?  
 6 A. No.  
 7 Q. This was not an automobile assembly plant?  
 8 A. That's correct.  
 9 Q. Were there any solvents used to clean their  
 10 machinery, to the best of your knowledge?  
 11 A. I don't know.  
 12 Q. What did their trash consist of?  
 13 A. Cardboard, paper, broken pallets. In their  
 14 assembly process, they had a lot of vendor  
 15 items that they would bring in and then  
 16 dismantle and put their transmissions  
 17 together. So they had a lot of cardboard  
 18 debris and paper debris.  
 19 Q. What do you mean by vendor items?  
 20 A. Well, vendor items is where you buy an  
 21 item, like nuts or bolts, and it comes in a  
 22 package from that person or company, and  
 23 then you put it on your product that  
 24 you're making.

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1 Q. So they would buy whatever they needed to  
 2 construct transmissions?  
 3 A. That's correct.  
 4 Q. None of the metal pieces were made at this  
 5 facility?  
 6 A. I can't vouch for that. They may have made  
 7 some of the parts there themselves.  
 8 Q. You're not sure?  
 9 A. I'm not sure.  
 10 Q. Were there any metal shavings in the trash?  
 11 A. There may have been, I don't know for sure.  
 12 Q. Did you ever see any metal shavings in  
 13 their trash?  
 14 A. No, I did not drive the truck that picked  
 15 up the plant itself.  
 16 Q. Did you offer to this transmission facility  
 17 an engineered program of waste management?  
 18 A. Did I do a site survey?  
 19 Q. Yes.  
 20 A. Yes.  
 21 Q. And an engineered program of waste  
 22 disposal, I think you called it. So when  
 23 did you do your site survey for them?  
 24 A. We were notified via the mail that we were

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1 asked to bid on their particular plant, and  
 2 invited in to look at the facility with  
 3 other contractors that were bidding on it,  
 4 and we were to do a walk through at that  
 5 time and see just exactly what the company  
 6 was going to furnish, the type of the trash  
 7 they were throwing in there, and that was  
 8 the extent of how they were to bid it, by  
 9 per load, per pick up. And that was in  
 10 approximately 1966.  
 11 Q. Did you ever visit the facility at any  
 12 other time other than to bid on the  
 13 contract?  
 14 A. Only to take the purchasing manager to  
 15 lunch.  
 16 Q. Did you have a regular driver that picked  
 17 up from that facility?  
 18 A. Yes, I did.  
 19 Q. What is that person's name?  
 20 A. Mr. Rutherford.  
 21 Q. What is the first name?  
 22 A. I don't recall his first name right now.  
 23 Q. Is Mr. Rutherford living, to the best of  
 24 your knowledge?

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1 A. No, he's deceased.  
 2 Q. Who was the driver that picked up from the  
 3 Johns-Manville facility?  
 4 A. Mr. Alspaugh.  
 5 Q. What was the last name?  
 6 A. Alspaugh.  
 7 Q. A-L-S-  
 8 A. A-L-S-P-A-U-G-H, Alspaugh.  
 9 Q. What was Mr. Alspaugh's first name?  
 10 A. Ralph.  
 11 Q. Is Mr. Alspaugh still living?  
 12 A. Deceased.  
 13 Q. Is there anyone that was an employee of  
 14 Benton Village Sanitation Service that is  
 15 still alive at this time, other than  
 16 yourself?  
 17 A. Mr. Heldt, who you've already got his name,  
 18 who's at BFI right now. He was an  
 19 operations manager of mine at the time.  
 20 Q. What were his job duties?  
 21 A. The day to day operations. To see,  
 22 basically, that the drivers were going  
 23 about their appointed task to handle any  
 24 customer complaints.

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1 Q. Was he kind of a dispatcher?  
 2 A. No, he was more of a field representative.  
 3 He would go out into the field and make  
 4 sure that the quality of service was at the  
 5 level we expected it to be. My wife  
 6 basically acted as a dispatcher in the  
 7 office.  
 8 Q. What years did Mr. Heldt work for you?  
 9 A. He worked for me in the late 1960's until I  
 10 sold out.  
 11 Q. At which time he went to BFI?  
 12 A. No, he stayed with Waste Management for  
 13 some time, and I went to work for BFI in  
 14 1979, and I asked Mr. Heldt to come to our  
 15 company at that point because of his  
 16 ability to manage people and so forth. And  
 17 he chose to come over, and then later  
 18 changed his mind, just wanted to be a  
 19 driver. I, of course, left BFI shortly  
 20 thereafter, and he stayed on. In fact, he  
 21 met his wife at Waste Management. She came  
 22 to BFI; still there today.  
 23 Q. If anything, I guess the disposal business  
 24 is rather incestuous.

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1 A. To say the least. I mean Mr. Fondessy  
 2 also, or Mr. Heldt also worked for Mr.  
 3 Fondessy.  
 4 Q. Mr. who?  
 5 A. Heldt.  
 6 Q. Oh, Heldt, okay.  
 7 A. So he'll have an ample knowledge. He also  
 8 worked for Mr. Barton, Mr. Fondessy, Waste  
 9 Management, now BFI, so.  
 10 Q. Did he work for any other disposal service?  
 11 A. Not that I know of.  
 12 Q. Are there any other individuals that worked  
 13 for Benton Village Sanitation that are  
 14 alive at this time?  
 15 A. There's a Mr. Henry Morrison.  
 16 Q. What did Mr. Morrison do for Benton Village  
 17 Sanitation?  
 18 A. He was a driver.  
 19 Q. What years was he employed?  
 20 A. 1965 through, until I sold out in '71.  
 21 Q. What did he do in 1971?  
 22 A. Well, I imagine he stayed with the company,  
 23 but then he went to work for Jeep  
 24 Corporation as a supervisor shortly, or I



<p style="text-align: center;">127</p> <p>1 mean, after I sold out.  2 Q. Is he still with, it would be Chrysler now?  3 A. Chrysler, no. He's on medical disability  4 right now. He had a heart attack or  5 something.  6 Q. Do you know how long he's been on  7 disability?  8 A. Eight years.  9 Q. Is he still in the Toledo area?  10 A. Yes.  11 Q. Do you happen to know his address?  12 A. 7109 Angola Road, I believe it is. I sold  13 him my house, that's why I know. He bought  14 my home from me years ago.  15 Q. Oh, okay. He still lives in the home that  16 he purchased from you, to the best of your  17 knowledge?  18 A. In Holland, Ohio.  19 Q. The wife that was your dispatcher, she's no  20 longer your wife?  21 A. Correct.  22 Q. What was her first name?  23 A. Christine.  24 Q. Is she still alive?</p>	<p style="text-align: center;">130</p> <p>1 Q. How many divisions did Benton Village  2 Sanitation, Inc. have?  3 A. Three.  4 Q. What were the divisions?  5 A. Industrial division, the commercial, and  6 the residential.  7 Q. Who headed the industrial division?  8 A. I did.  9 Q. And Mr. Weimer headed the commercial  10 division?  11 A. Yes, Jack and Mr. --  12 Q. Mr. Jack Weimer?  13 A. Jack Weimer, correct. Jan was a driver for  14 him at the time.  15 Q. What years did Mr. Jack Weimer work for  16 you?  17 A. '65 to '71.  18 Q. What did he do after Waste Management  19 purchased Benton Village Sanitation?  20 A. He stayed with Waste Management, I guess,  21 after I left, and where he, his  22 progression of things after that, I don't  23 know. I just ran into him here recently  24 that he's back in the solid waste business.</p>
<p style="text-align: center;">128</p> <p>1 A. Yes.  2 Q. Is her name still Benton?  3 A. Yes, it is.  4 Q. What is she doing now?  5 A. She's office manager for City Disposal. I  6 knew you were going to ask this. You had  7 to ask. She works for my son.  8 Q. She works for her son.  9 A. Who is the general manager of City  10 Disposal?  11 Q. She works for the two of your son; this is  12 your son together, right?  13 A. Yes. And my daughter works for BFI. Are  14 you ready for one more?  15 Q. No, I don't want anymore.  16 A. I have a third son.  17 Q. I'm primarily interested in them if they  18 worked for Benton Village Sanitation. Did  19 you subsequently remarry?  20 A. Yes.  21 Q. Was that wife at all involved in any  22 disposal industry?  23 A. No, she was a nurse.  24 Q. Mr. Benton, let's go back to the</p>	<p style="text-align: center;">131</p> <p>1 working for another company here in Toledo.  2 Q. Was he the director of the commercial  3 division the entire time he was employed by  4 you?  5 A. No, no.  6 Q. When did he assume the commercial  7 director's duties?  8 A. Well, early on, that's what he assumed, and  9 later on, he basically took a truck and  10 became like a contract operator for me,  11 where I sold him a vehicle, and he became  12 -- several of my drivers were owner  13 operators, where they owned their own  14 truck, and I contracted the accounts to  15 them to pick them up.  16 Q. They were independent contractors then?  17 A. Yes.  18 Q. They were not employees?  19 A. That's correct. That gave me a little  20 competitive edge.  21 Q. So what years was Mr. Weimer the commercial?  22 --  23 A. Like '66 to '69.  24 Q. Was there anyone else that was head of the</p>
<p style="text-align: center;">129</p> <p>1 acquisition --  2 A. You didn't ask me about the third time.  3 Q. The third son?  4 A. No, the third wife.  5 Q. All right. What about the third wife, was  6 she involved in a disposal service?  7 A. At Benton Enterprises, Inc. This was in  8 1984, '85, way beyond.  9 Q. Are there any other past employees of  10 Benton Village Sanitation that are  11 currently alive?  12 A. There's a Jack Weimer, who is Jan Weimer's  13 brother, the gentleman I told you was the  14 operations manager at Waste Management.  15 His brother was a supervisor for me, and  16 he's here in Toledo.  17 Q. What did he do for you? This was Jack  18 Weimer?  19 A. He was a supervisor. Jack Weimer, and he  20 was a supervisor for me of --  21 Q. What kind of supervisor?  22 A. I believe he oversaw the commercial  23 division, you know, the stores,  24 supermarkets, that type of thing.</p>	<p style="text-align: center;">132</p> <p>1 commercial division?  2 A. Mr. Heldt.  3 Q. What years was Mr. Heldt the head of the  4 commercial division?  5 A. He was still active when I sold out.  6 Q. What year did he begin doing that?  7 A. In, I would say, he assumed that with his  8 other job that he had there, '68 when Mr.  9 Weimer decided he wanted to have a truck.  10 Q. Was there any other individual, besides  11 yourself, that was the head of the  12 industrial division?  13 A. No.  14 Q. Did you have a main deputy in the  15 industrial division?  16 A. No, I handled all those accounts myself.  17 Q. It was pretty much a one man division?  18 A. Yeah, because, you know, most of the trucks  19 were owned by the, that picked up the  20 industrial accounts, were owned by the  21 drivers. And so that left me not having to  22 worry about employees, I could concentrate  23 on maintaining the service of those  24 accounts.</p>

1 Q. What drivers did you contract with for the  
2 industrial division?  
3 A. Mr. Rutherford, Mr. Alspaugh, Mr.  
4 Harrison.  
5 Q. Mr. Harrison, what is his first name?  
6 A. Harold.  
7 Q. Is Mr. Harrison living?  
8 A. No, he's deceased.  
9 Q. Any other drivers for the industrial  
10 accounts?  
11 A. I was going through in my mind as you were  
12 asking me. We talked about Mr. Rutherford.  
13 There was a Bob, and I can't think of his  
14 last name; he handled the Jeep account for  
15 me. His last name will come to me, and  
16 when it does, we'll enter into the record  
17 when it registers.  
18 Q. Is Bob living?  
19 A. Yes.  
20 Q. Do you know what Bob is doing now?  
21 A. Last I heard, he was in Tennessee. He had  
22 moved to Tennessee.  
23 Q. Where in Tennessee?  
24 A. I don't know.

1 Q. Somewhere in Tennessee?  
2 A. Yeah. Mr. Cousins has a, of Cousins Waste  
3 Material --  
4 Q. Is that Mr. Barry Cousins?  
5 A. Yes. Has had correspondence with him  
6 recently, so he would know.  
7 Q. Just so we don't leave anybody else out  
8 there, is there anybody else that worked  
9 with you at Benton Village Sanitation that  
10 you have not mentioned that is currently  
11 alive?  
12 A. Oh, I'm sure there were some other  
13 personnel, you know, short term type things  
14 that come and go. There was a lot of that  
15 going on during the Vietnam War time. It  
16 was hard to keep help back then.  
17 Q. But any names that you remember?  
18 A. Yeah, none right now.  
19 Q. Mr. Benton, let's go back again to Waste  
20 Management's acquisition of your company.  
21 Did you receive anything from Waste  
22 Management, Inc. other than the shares of  
23 stock?  
24 A. Other than --

1 Q. It says you received 30,000 shares of  
2 stock, and you said that that was probably  
3 correct?  
4 A. Yeah.  
5 Q. The newspaper that had been previously  
6 identified as Exhibit No. 3.  
7 A. The only other compensation was an  
8 employment package that I received as part  
9 of the acquisition where I would go to work  
10 for them, which was -- and then the other  
11 thing was any stockholder loans that were  
12 made to the corporation, which were debts  
13 of the corporation, of course, where I had  
14 loaned money to the company.  
15 Q. What was the nature of the employment  
16 package?  
17 A. I would receive, I believe, back then, it  
18 was like \$25,000.00 a year to maintain the  
19 daily operations of this division.  
20 Q. Of which division?  
21 A. Toledo division of Waste Management, known  
22 as Benton Village Sanitation, Inc..  
23 Q. So Benton Village Sanitation, Inc. became  
24 the Toledo division of Waste Management,

1 Inc.?  
2 A. Correct.  
3 Q. But the entity continued to do business as  
4 Benton Village Sanitation?  
5 A. That is correct.  
6 Q. Was there anything else that was part of  
7 the employment package given to you by  
8 Waste Management, Inc.?  
9 A. No.  
10 Q. Did you receive any pension rights as part  
11 of that package?  
12 A. No.  
13 Q. You stated that you had made some loans to  
14 Benton's Village Sanitation?  
15 A. Which were a debt of the corporation, yes.  
16 Q. And so Waste Management, Inc., paid back  
17 those loans to you?  
18 A. That's correct.  
19 Q. Approximately how much were those  
20 outstanding loans at the time Waste  
21 Management, Inc., acquired Benton's Village  
22 Sanitation?  
23 A. I think approximately \$80,000.  
24 Q. Was there any time limit that was placed on

1 your employment package? Did they promise  
2 to hire, to keep you for a certain number  
3 of years?  
4 A. Five years.  
5 Q. And after that time you could have  
6 renegotiated if you had chosen?  
7 A. Sure, yes.  
8 Q. What was your title once Waste Management,  
9 Inc., acquired Benton Village Sanitation?  
10 A. Division Manager.  
11 Q. And who did you say was operating as the  
12 head of the commercial division at the time  
13 of the Waste Management acquisition?  
14 A. We talked about Mr. Weimer. Oh, at the  
15 time of the acquisition Mr. Heldt.  
16 Q. Mr. Heldt, okay, and Mr. Heldt stayed on  
17 with Waste Management, Inc.?  
18 A. Correct.  
19 Q. Was he in the same capacity as head of a  
20 commercial division?  
21 A. Yes.  
22 Q. And who was the head of the residential  
23 division at the time of the acquisition?  
24 A. Mr. Morrison.

1 Q. Morrison?  
2 A. Uh-huh.  
3 Q. Did he stay on as the head of the  
4 residential division?  
5 A. No, he left shortly thereafter that and  
6 went to Jeep Corporation, became a  
7 supervisor there, because his wife worked  
8 there.  
9 Q. Do you know if he had the option to  
10 continue as head of the residential  
11 division?  
12 A. No, I don't.  
13 Q. You don't know one way or the other?  
14 A. No, because he was still operating. After  
15 I sold out he was still employed there, you  
16 know, but then when I left the business he  
17 stayed on for a while and then left shortly  
18 thereafter.  
19 Q. But immediately at the time of the transfer  
20 he was the residential division manager?  
21 A. Right. The company remained pretty much  
22 intact after the acquisition by Waste  
23 Management.  
24 Q. Did Waste Management bring in any of its

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1	own managers after the acquisition, immediately after the acquisition?	1	Village Sanitation immediately prior to the transfer?
2	No.	2	Correct, yes.
3	A. And you stayed there fifteen months, is that correct?	3	A. Did Waste Management run pretty much the same routes as Benton's Village Sanitation?
4	Q. That's correct.	4	Q. Right, there was no change.
5	A. I'm sorry, I know you've told me, what did you do immediately after that?	5	A. To your knowledge were there any changes in the accounting practices?
6	Q. Oh, that's when I acquired Toledo Paper Stock.	6	Q. Well, the accounting practices, we were put on computer and the billing was done out of Chicago along with the P&L statements.
7	A. Mr. Benton, as part of the Waste Management acquisition of Benton Village Sanitation did you sign any type of covenant not to compete with Waste Management?	7	A. Profit and loss statements?
8	Q. Yes, I did.	8	A. Profit and loss, I'm sorry.
9	A. And what was the nature of that covenant not to compete?	9	Q. Were there any, other than the system becoming computerized and being run out of Chicago, was there any change in the accounting methods?
10	A. Well, the nature was that I would refrain from soliciting accounts of Waste Management for the purpose of hauling solid waste and creating another business.	10	A. After they acquired the company I wasn't privy to their basic accounting methods.
11	Q. So was there any restriction on those businesses or entities that were not current Waste Management accounts?	11	Q. Arthur Anderson was their auditors and so forth. I'm sure that they had to use approved accounting methods, but I had no control over how they capitalized things or expensed things or anything like that at
12		12	
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1	A. It put a geographical area on it. So it meant all accounts.	1	all.
2	Q. What was the geographical area?	2	Q. And you weren't aware of what the practices were?
3	A. I believe it was a 250-mile radius of Toledo.	3	A. No, I was not aware.
4	Q. And how long was the covenant not to compete good for?	4	Q. Even though you were the division manager you were not aware of the accounting practices?
5	A. Five years.	5	A. My job as division manager at that time was basically to operate the company on a service basis to see that the service was given to these customers. The main reason for acquainting or having Waste Management acquire my company was one of increasing the size of the company with the assets that Waste Management would have, one of them being accounting services.
6	Q. Now, it continued to operate as Benton's Village Sanitation after Waste Management acquired it?	6	Q. We did get a monthly printout as to the profitability of our company based upon their accounting methods with a corporate service charge that was taken off of our profit line. I'm sure you're aware of how some of the larger corporations work in that area.
7	A. That's correct.	7	A. Did Waste Management, Inc., bring in any
8	Q. How long did the Toledo Division of Waste Management, Inc., operate as Benton's Village Sanitation, to the best of your knowledge?	8	
9	A. I would say approximately about eight to ten years.	9	
10	Q. So if I were to look in a yellow pages for say 1979 I would probably find ads for Benton's Village Sanitation?	10	
11	A. I would say you'd be safe in saying that.	11	
12	Q. Did anything in the company's public appearance reflect the fact that Waste	12	
13		13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
23		23	
24		24	
141		144	
1	Management, Inc., had purchased the company? Was it Benton's Village Sanitation, a division of Waste Management, Inc.? Was the name Waste Management, Inc., in any way in front of the public subsequent to Waste Management's purchase?	1	new equipment?
2	A. Yes.	2	A. They didn't bring any in. We were able to order new equipment locally through the same vendors that we normally had been buying our equipment from.
3	Q. How?	3	Q. What did you buy?
4	A. Stationery --	4	A. What did we buy?
5	Q. What, immediately afterwards?	5	Q. Yes.
6	A. Yes. It would be Benton Enterprises, Division of Waste Management. Even the phone --	6	A. We replaced some of the older vehicles that we, garbage trucks, and containers.
7	Q. Benton Enterprises or Benton Village Sanitation?	7	Q. Do you remember how many vehicles you might have purchased?
8	A. Excuse me, Benton Village Sanitation -- and that I believe the phone ads also indicated that we were a division of Waste Management also.	8	A. Oh, four or five.
9	Q. And that would have been immediately after the transfer?	9	Q. Were there any changes in the locations to which waste was hauled once Waste Management acquired Benton's Village Sanitation?
10	A. Yes.	10	A. No.
11	Q. Did Waste Management service the same accounts that had been serviced by Benton's	11	Q. You're not sure what year the landfill in Northwood began to operate?
12		12	A. No. It was shortly after I left. I know that for a fact. So probably sometime in late '74 they were operating.
13		13	Q. And Waste Management, Inc., immediately
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
23		23	
24		24	

<p style="text-align: center;">145</p> <p>1 after the acquisition did they employ your 2 drivers, Benton's Village Sanitation's 3 drivers? 4 A. All employees were, you know, kept on, and 5 the business ran as it had ran in the past. 6 Q. Did they make any changes to the business? 7 A. Outside of the accounting, no. 8 Q. Accounting was the only change? 9 A. That's correct, and the billing. 10 Q. Are you currently receiving any type of 11 compensation from Waste Management, Inc.? 12 A. No, I'm not. 13 Q. Still own Waste Management, Inc., stock? 14 A. No, I have no Waste Management stock. 15 Q. What is the relationship of Barry Cousins 16 to Waste Management, Inc.? 17 A. None that I know of. 18 Q. I'm sorry, did not Barry Cousins become a 19 vice president of -- 20 A. That's not what you're asking me. You said 21 what's his association. He has no 22 association with them right now that I know 23 of. 24 Q. Okay, excuse me, in 19 -- was Barry Cousins</p>	<p style="text-align: center;">148</p> <p>1 years after I left. I would say at least 2 two to three years after I left he stayed 3 with Waste. 4 Q. So that would have been until, what, '76 or 5 '77? 6 A. I believe you're right. 7 Q. Do you know if Mr. Cousins signed any type 8 of covenant not to compete as part of Waste 9 Management's acquisition of his company? 10 A. I'm almost assured he did. That was kind 11 of standard operating procedure then. 12 Q. Do you have any idea as to the terms of 13 that covenant? 14 A. I heard him mention five years. 15 Q. Do you know if it was for a similar radius 16 of 250 miles around Toledo? 17 A. Yes, that's correct. 18 Q. Do you know whether Mr. Cousins received 19 any other compensation other than money for 20 the purchase of his company? 21 A. No, I don't. I wasn't privy to the actual, 22 you know, the money part of his 23 acquisition. 24 Q. Do you know if Mr. Cousins, or, excuse me,</p>
<p style="text-align: center;">146</p> <p>1 associated in the past with Waste 2 Management, Inc.? 3 A. Yes, he was. 4 Q. What was the nature of his association? 5 A. Barry Cousins' company, which consisted of 6 three trucks, was acquired by Waste 7 Management in 1972 or '73, and he became a 8 vice president at that time of the Waste 9 Management operation and I think his 10 responsibilities were the industrial 11 sector. Of course, he stayed on after I 12 left. 13 Q. What was the name of the entity that Barry 14 Cousins operated that was acquired by Waste 15 Management? 16 A. Cousins' Waste Removal. 17 Q. Were you there at the time that Waste 18 Management, Inc., acquired Cousins'? 19 A. Yes, I was. 20 Q. Did you have any involvement in the 21 Cousins' Waste Disposal acquisition? 22 A. My involvement was one of introducing him 23 to the principals of Waste Management. 24 Q. Were you in any way involved in the</p>	<p style="text-align: center;">149</p> <p>1 if Waste Management, Inc., acquired all the 2 assets and liabilities of Mr. Cousins' 3 company? 4 A. No, I'm not privy to that. 5 Q. You mentioned that Waste Management, Inc., 6 acquired all the assets and liabilities of 7 Benton's Village Sanitation. Was there 8 anything carved out from either the asset 9 side or the liability side? 10 A. No, there was not. 11 Q. There were no exceptions to the liabilities 12 which Waste Management, Inc., acquired? 13 A. None. 14 Q. R&amp;K Disposal was purchased by Waste 15 Management, Inc., was it not? 16 A. Correct. 17 Q. Do you know what year that was? 18 A. That was in the same period of time, in 19 late '74. 20 Q. And, please refresh my memory, who operated 21 R&amp;K? 22 A. Ken Timming and Ray Baer. 23 Q. You hadn't mentioned Mr. Baer I don't 24 think. How did Mr. Baer spell his name?</p>
<p style="text-align: center;">147</p> <p>1 negotiations leading to the acquisition of 2 Mr. Cousins' business? 3 A. No. 4 Q. Are you aware of the terms of the 5 acquisition? 6 A. No, I'm not. 7 Q. Do you have any idea what form it took, 8 stock transfer, asset purchase, anything 9 like that? 10 A. My understanding is that it was a cash 11 purchase. 12 Q. Do you know if an employment contract with 13 Mr. Cousins was part of the deal? 14 A. Yes, it was. 15 Q. Do you know anything about the nature of 16 that contract? 17 A. He was given a certain amount of money for 18 a stipulated period of time. I don't know 19 exactly the duration of the time, but it 20 was similar in nature to the contract, the 21 wording was similar to what I had. 22 Q. How long did he stay associated with Waste 23 Management? 24 A. He stayed with Waste Management for several</p>	<p style="text-align: center;">150</p> <p>1 A. B-a-e-r. 2 Q. Did you have any role in -- were you 3 present at Waste Management, Inc., when the 4 company acquired R&amp;K Disposal? 5 A. I introduced the principals to the 6 acquiring team from Waste Management and 7 they took it from there. 8 Q. So again you did not have any role in the 9 negotiations leading to the acquisition? 10 A. No. 11 Q. What do you know about the terms of sale 12 between R&amp;K and Waste Management, Inc.? 13 A. Their format for acquisition was similar to 14 mine where they acquired them for stock. 15 Q. The stock for stock transfer? 16 A. Correct. 17 Q. I'm sorry, I interrupted you. Were you 18 going to say something else? 19 A. No, that was it. 20 Q. Was Mr. Timming the president of R&amp;K? 21 A. Yes, he was. 22 Q. What was Mr. Baer's position? 23 A. Vice president. 24 Q. Were they both stockholders of R&amp;K?</p>

1 A. Yes.  
 2 Q. Do you have any idea as to the relative  
 3 proportions of stock owned by each  
 4 individual?  
 5 A. My understanding was 50/50.  
 6 Q. Did Mr. Timming come to work for Waste  
 7 Management after Waste Management acquired  
 8 R&K?  
 9 A. Yes, he did.  
 10 Q. What was his position?  
 11 A. He was supervisor of the commercial area.  
 12 Q. Do you know what his employment package  
 13 consisted of?  
 14 A. Again it was similar in nature to the one I  
 15 had and the duration of time was the same  
 16 and the noncomp agreement was basically the  
 17 same. Mr. Baer did not come to work for  
 18 Waste Management.  
 19 Q. What did Mr. Baer do?  
 20 A. He went and ran his dog kennel.  
 21 Q. So he got out of the disposal industry  
 22 after Waste Management acquired R&K?  
 23 A. Yes, he did.  
 24 Q. Do you know if Mr. Timming and Mr. Baer

1 operated any other entity at the time Waste  
 2 Management acquired R&K?  
 3 A. No, they did not.  
 4 Q. Do you know if either Mr. Timming or Mr.  
 5 Baer received anything other than the Waste  
 6 Management stock and the promise of  
 7 employment?  
 8 A. Not to my knowledge.  
 9 Q. And there was a similar covenant not to  
 10 compete to the one that you signed to the  
 11 best of your knowledge?  
 12 A. Yes, that's correct.  
 13 Q. After R&K Disposal was acquired by Waste  
 14 Management what was the new entity named?  
 15 A. It became Benton's Enterprises, or, excuse  
 16 me, Benton Village Sanitation.  
 17 Q. Was the name R&K Disposal retained by Waste  
 18 Management?  
 19 A. It may have, but we didn't, you know, we  
 20 gradually incorporated under, the accounts  
 21 under the Benton Enterprises billing  
 22 procedure.  
 23 Q. You mean Benton Village Sanitation?  
 24 A. Yes, Benton Village, and they did that

1 billing out of Chicago. We didn't do that  
 2 internally.  
 3 Q. We're going to have to give you a set of  
 4 hats and make sure that you know which hat  
 5 you've got on.  
 6 A. That's correct.  
 7 Q. So there wasn't a period of time, to the  
 8 best of your knowledge, that Waste  
 9 Management would continue to run ads saying  
 10 R&K Disposal, a division of Waste  
 11 Management, Inc., like they did for  
 12 Benton's Village Sanitation?  
 13 A. Yeah, I would assume, as they did with my  
 14 yellow page ad and so forth, that they ran  
 15 it until the duration ran out. They would  
 16 still have to honor that obligation in the  
 17 yellow pages.  
 18 So even though there was the  
 19 acquisition and that company still existed  
 20 in the yellow pages there would be a  
 21 referral when they would dial that number  
 22 or we actually acquired the number and  
 23 brought it in to the office so we were  
 24 still answering their number.

1 Q. So it would have been determined by the  
 2 time period, whatever the time period was  
 3 for the contract with the yellow pages?  
 4 A. The yellow pages, that's correct.  
 5 Q. Do you know whether Waste Management, Inc.,  
 6 acquired the liabilities of R&K Disposal?  
 7 A. Yes, it was, my understanding was stock for  
 8 stock, similar to my acquisition.  
 9 Q. To the best of your knowledge was there any  
 10 exceptions to Waste Management's assumption  
 11 of the liabilities of R&K Disposal?  
 12 A. None that I'm aware of.  
 13 Q. How many trucks did Waste Management  
 14 acquire with its acquisition of R&K  
 15 Disposal?  
 16 A. I believe it was five or six rigs.  
 17 Q. And were those, had those rigs, did they  
 18 have the R&K Disposal name on them?  
 19 A. Yes, they did.  
 20 Q. Subsequent to the acquisition was that name  
 21 changed on those rigs?  
 22 A. Yes.  
 23 Q. To?  
 24 A. Benton's.

1 To Benton's.  
 2 A. To be real frank with you the equipment  
 3 that he had was marginal and I don't think  
 4 we used it only for a short period of time.  
 5 We just merged his accounts in with our  
 6 regular routes and I think we sold his  
 7 equipment or transferred it to another  
 8 division almost right away. I don't even  
 9 remember painting the trucks to tell you  
 10 the truth.  
 11 Q. Other than Mr. Timming did any other top  
 12 R&K employees become part of what was  
 13 Benton's Village Sanitation, a division of  
 14 Waste Management?  
 15 A. Some of his drivers stayed on and, you  
 16 know, continued to drive.  
 17 Q. Any other top employees?  
 18 A. No, they were the top employees. There was  
 19 only --  
 20 Q. They didn't have any other managers or  
 21 foremen?  
 22 A. No, just those two.  
 23 Q. What happened with the R&K accounts?  
 24 A. They were merged into the routing system of

1 the present Benton routes.  
 2 Q. So the Benton routes were --  
 3 A. Expanded on.  
 4 Q. -- expanded to incorporate the R&K  
 5 accounts?  
 6 A. Correct.  
 7 Q. The R&K routes were not maintained separate  
 8 and intact?  
 9 A. No. No, that would be foolish to do that.  
 10 Q. What relationship, if any, did you have to  
 11 Park Forest Development Corporation?  
 12 A. I believe that was the entity that Mr.  
 13 Bevil called his company that did  
 14 business with the county to run the county  
 15 King Road landfill.  
 16 Q. So other than disposing of waste at the  
 17 King Road landfill did you have any other  
 18 relationship with Park Forest Development  
 19 Corporation?  
 20 A. Well, not outside of basically exposing the  
 21 fact that the Park Forest Development was,  
 22 had underworld ties at the time. Needless  
 23 to say, it caused quite a stir here in  
 24 Toledo.



<p style="text-align: center;">157</p> <p>1 Q. Surprise, surprise, underworld ties to the 2 waste disposal industry. 3 A. My goodness. 4 Q. I guess, you know, when you're from Chicago 5 that's not news. 6 A. Believe it or not, back then Toledo was a 7 virgin area as far as it came to the solid 8 waste business. I really enjoyed being in 9 business back in the '60's because you had 10 good competition back then and all of a 11 sudden this element came out of nowhere and 12 we could see that same element coming from 13 Detroit down here. 14 Q. How did you expose the underworld ties? 15 A. It's kind of a unique story. I was going 16 in to the landfill one afternoon at King 17 Road and there sat this big black Cadillac 18 and this guy about 300-some pounds and 19 fancy suit and everything and he decides, 20 he proceeds to tell me what, the way things 21 were going to be, in essence you're going 22 to pay this and so forth and if you didn't 23 like it and so forth, you know, and I said, 24 "Really, what's your name", and he wouldn't</p>	<p style="text-align: center;">160</p> <p>1 Corporation? 2 A. It either withered on the vine or it just 3 went away. 4 I ran into the principal here several 5 years ago and he was working for a division 6 of Caterpillar or something as a field man, 7 this Mr. Bevil, and so he had evidently 8 severed his ties with whoever these 9 principals were, because I had had visits 10 from him asking me to cool it from the 11 principals from Detroit saying hey back 12 off, I mean right to my, right sitting 13 across the table from one another. 14 I said, "Well, it's out of my hands 15 right now. You people have exposed 16 yourself to what's going on here. There's 17 nothing I can do." 18 Q. And you didn't become part of the 19 foundation someplace? 20 A. No, ma'am. I sure did look over my 21 shoulder a lot, I'll tell you. 22 Q. Let me just collect my thoughts for a 23 minute. 24 I need to ask you about a few other</p>
<p style="text-align: center;">158</p> <p>1 tell me his name. 2 Q. This was an increase in the tipping fees 3 that they had usually charged? 4 A. Anticipated increase, plus the fact that 5 whether you came in with a half load, full 6 load or whatever, you were going to pay for 7 a full load, and it was my practice at the 8 end of the day to dispose of whatever we 9 had in our vehicles, you know, whether it 10 was a half load or not to go to the yard 11 with any material in for fires or just from 12 a health standpoint. 13 But anyway, to make a long story 14 short, he was just very obnoxious and later 15 that week I saw him on television and here 16 it was Mr. Joe Barberra and he was being 17 charged with the rape of his girlfriend or 18 something and had underworld ties. I said, 19 "Oh, my God, what did I do". I'm a 19 or 20 20-year-old kid then. Of course I didn't 21 care who I mouthed off to back then. 22 Anyway, so one thing led to another 23 and before long I got a call from a Secret 24 Service Agent who was doing some research</p>	<p style="text-align: center;">161</p> <p>1 disposal services. Do you know anything 2 about Municipal Service, Inc.? 3 A. I've heard the name, but I don't know the 4 principals that were ever involved in it. 5 Q. I think the principal was a Mr. Calvin 6 Lieberman? 7 A. Okay. 8 Q. Do you know anything about that company? 9 A. Okay, that company had Ace Steel Baling, 10 was a scrap yard, and he had an offshoot of 11 a company called Municipal Service. He was 12 trying to sell a real Rube Goldberg type of 13 a landfill machine that you would dump into 14 one end of it and it would go through a 15 process and make it little bricks and then 16 it would go down in the field like laying 17 tile. Well, it was a \$500,000 monstrosity. 18 Q. Did it have a little mouse that ran over 19 the tracks? 20 A. It looked like that. I think he sold one 21 to Buffalo, New York. That was his claim 22 to fame or something, and they did have a, 23 like a demolition dump here in Toledo years 24 ago off of Manhattan Boulevard.</p>
<p style="text-align: center;">159</p> <p>1 on this thing. I don't know how they got 2 involved in it, but they came to see me and 3 wanted to know how much I knew about this 4 Park Forest Development Company and so 5 forth and the principals and so forth and I 6 said nothing at that juncture. 7 So as I acquired more information I 8 simply transferred that on to Mr. Cottner 9 at the time and lo and behold things 10 really, they started digging into it and 11 there were some county commissioners 12 involved. There was a big stink over this 13 thing as, if you're from Chicago, you know 14 what I'm talking about. 15 Mr. Bevil was given his walking 16 papers and the county stepped back in and 17 took it over. A couple of county 18 commissioners didn't run for election again 19 either. 20 Q. Were there indictments that came out of the 21 investigation into Park Forest Development 22 Corporation? 23 A. Believe it or not, no, there never was. 24 Q. So what happened to Park Forest Development</p>	<p style="text-align: center;">162</p> <p>1 Q. What was the name of the dump? 2 A. I think they called it Treasure Island or 3 something. 4 Q. Do you know what years Municipal Service, 5 Inc., might have been in business? 6 A. Oh, golly, that would have been, you know, 7 middle '50's up through the, till '80, 1980 8 anyway. 9 Q. What happened in 1980? 10 A. Well, I think he retired out of the, he's 11 probably 80 years old by now. He sold his 12 scrap yard business, got out of that, and 13 of course they had closed that landfill 14 years before that. 15 Q. Are you referring to Treasure Island? 16 A. Yes. 17 Q. Do you know how many employees Mr. 18 Lieberman may have had? 19 A. Oh, in his heyday probably a couple 20 hundred. 21 Q. Approximately when was his heyday? 22 A. Oh, I would say, you know, late '60's, 23 early '70's. 24 Q. Did you consider him one of your</p>

1 competitors?  
 2 A. No.  
 3 Q. Why not?  
 4 A. He wasn't in the solid waste business.  
 5 Q. He was just, just had a scrap yard?  
 6 A. He had the scrap yard and he sold this  
 7 machinery and then they had this demolition  
 8 fill on Manhattan and that was it. He  
 9 didn't go out and collect material. He  
 10 collected scrap iron, but he didn't collect  
 11 trash.  
 12 Q. This landfill only received demolition  
 13 waste to the best of your knowledge?  
 14 A. Right.  
 15 Q. Do you know whether that landfill received  
 16 any industrial waste?  
 17 A. I don't know. I did not haul to that  
 18 landfill, never hauled to that landfill.  
 19 Q. Are you familiar with an entity called  
 20 Oberle Sanitation?  
 21 A. Bob Oberle, yes, I'm familiar with Bob  
 22 Oberle. I'm not real familiar with his  
 23 operation. I know he was in the waste oil  
 24 business here in the Toledo area and he had

1 a big fire at one time at his facility on  
 2 Stickney Avenue.  
 3 I never really crossed paths with, you  
 4 know, with his operation, because he was in  
 5 a distinct different operation. He was  
 6 like Ace Oil where they went around to gas  
 7 stations and stuff and picked up waste oil.  
 8 Q. Did he haul anything other than waste oil?  
 9 A. Not to my knowledge.  
 10 Q. To the best of your knowledge who did he  
 11 haul from?  
 12 A. I do not know.  
 13 Q. Do you know what years he was in operation?  
 14 A. Oh, golly, he went clear back in, you know,  
 15 into the '50's also, until he had his fire  
 16 in I would say early part of 1980.  
 17 Q. What did he have at his facility?  
 18 A. Oh, golly, it was right here in front of  
 19 Textilether there. He had barrels and  
 20 barrels and barrels of stuff stacked up  
 21 there.  
 22 Q. It was barrels, it wasn't a tank or tanks?  
 23 A. They had tanks there too.  
 24 Q. Tanks and barrels?

1 A. Yeah, like he was trying to refine some of  
 2 the oils and stuff that he picked up. He  
 3 did road oiling just like the Fondessy, Ace  
 4 Oil people did, but he had the, you know,  
 5 it was really quite a nasty looking sight.  
 6 He didn't have any ponds there, just some  
 7 tanks.  
 8 Of course it's all gone today. It's  
 9 not there.  
 10 Q. Did the fire destroy everything at his  
 11 facility?  
 12 A. Just about.  
 13 Q. So after that he retired?  
 14 A. He must have ceased operations. I heard he  
 15 went to Newark, Ohio, from here.  
 16 Q. Where is Newark from here?  
 17 A. Columbus.  
 18 Q. Now, did Barry Cousins have two separate  
 19 companies? Was there a Cousins' Sanitation  
 20 and Cousins' Industrial Waste Disposal or  
 21 was there just one entity?  
 22 A. All we -- I don't know. Again, I don't  
 23 have the documentation. We acquired a  
 24 solid waste division from him.

1 His father had a Cousins' Scrap Yard,  
 2 which this was part of, and I think that's  
 3 why they made it an asset sale because they  
 4 couldn't have a stock for stock sale  
 5 because of the fact that this was a  
 6 division of Cousins' Scrap Iron Yard.  
 7 Q. So you don't know anything about an entity  
 8 that might have been called Cousins  
 9 Industrial Waste Disposal?  
 10 A. No, because, well, I don't know which one,  
 11 Waste Management, which one of those names  
 12 you're referring to, that Waste Management  
 13 acquired. I mean if they acquired that one  
 14 then, yeah, that's the one we acquired, but  
 15 I don't know the exact name of the company  
 16 was in 1974. I can't remember back that  
 17 far.  
 18 Q. To the best of your knowledge was there  
 19 more than one entity or was there just one  
 20 entity?  
 21 A. As far as I know, no. There was a scrap  
 22 yard involved. Now, what they called that  
 23 or what their entity there was all I knew  
 24 it by was Cousins' Scrap Yard, Cousins'

1 Iron & Metal, or something like that.  
 2 Q. Consolidated Disposal?  
 3 A. Never heard of it.  
 4 Q. Waste Disposal Services?  
 5 A. Never heard of that one either.  
 6 Q. Who was, other than Community Sanitation  
 7 Service, who was your biggest competitor?  
 8 A. That was it.  
 9 Q. There wasn't any other entity that you  
 10 considered your big competitor?  
 11 A. Not of any size. They were it. Everybody  
 12 else was small in nature compared to them.  
 13 Q. Which companies were liquid waste haulers?  
 14 A. Well, I gave you the Ace Disposal. There  
 15 was Commercial Oil.  
 16 Q. Did they just haul oil?  
 17 A. Well, I mean they called themself  
 18 commercial. They're the ones that if  
 19 you've got a big U.S. EPA thing going on --  
 20 I'm aware of, yes.  
 21 A. Yeah, so you know who they hauled for,  
 22 Edison and all the big accounts that they  
 23 haul for.  
 24 I live right there. That's why I know

1 of them.  
 2 Q. Were there any other entities that hauled  
 3 liquid waste?  
 4 A. Well, you had the Ace, the Soncrant, the  
 5 Oberle's.  
 6 Q. Where did these haulers haul to?  
 7 A. Well, of course Commercial Oil hauled to  
 8 their lagoons that they had and Fondessy  
 9 hauled to theirs, their lagoons over there  
 10 on Otter Creek also, and I imagine Oberle  
 11 hauled to his tanks or whatever he did over  
 12 there on Stickney Avenue. Those are the  
 13 three that I know about and I'm sure that  
 14 there were probably some others that were  
 15 involved back then in that type of a  
 16 business, but I don't have knowledge of who  
 17 they were.  
 18 Q. Was Robert Oberle's facility close to the  
 19 Stickney Avenue landfill?  
 20 A. Yes, it was.  
 21 Q. Did you ever see Mr. Oberle's trucks in the  
 22 Stickney Avenue landfill?  
 23 A. No, I didn't.  
 24 Q. Do you know of anyone that might have

1 knowledge about Mr. Oberle's waste  
2 disposal?  
3 A. His son, Bob Jr..  
4 Q. Is there anyone else not related to Mr.  
5 Oberle who would have knowledge about the  
6 disposal?  
7 A. No, I knew very little about his operation.  
8 As a side note to this, and it's  
9 nothing to do with Mr. Oberle, but there  
10 was an individual who for years owned the  
11 property adjacent to the Stickney Avenue  
12 landfill, which later became the X-Chem  
13 facility that the EPA got involved in, but  
14 prior to them acquiring that site he had  
15 dumped sewage sludge right there in that  
16 facility for years, Toledo city sewage  
17 sludge, and I mean there was --  
18 Q. This is Robert Oberle?  
19 A. No, this is on the X-Chem site, which is  
20 just down the street from the Oberle site,  
21 which is on the Stickney Avenue, basically  
22 just adjacent to the Stickney Avenue  
23 landfill.  
24 Q. Was the individual that disposed of the

1 sewage sludge named Mr. Ralph Bowman?  
2 A. That's it. I didn't have his name, but I  
3 knew that there was an individual that had,  
4 for years had dumped in there, and I always  
5 wondered how they got away with that, but.  
6 Q. Do you know whether they dumped on the  
7 Stickney landfill itself or did they dump  
8 on the X-Chem property?  
9 A. That was the question that I had, because  
10 it always looked like it was, he didn't  
11 know where his property line ended and  
12 where the city property ended in there, and  
13 of course I think Andy Douglas was his  
14 lawyer at the time so I don't think he  
15 really cared.  
16 Q. Why should, why do you guys, why does  
17 everybody know about Andy Douglas except  
18 for me?  
19 A. Well, he's a Supreme Court justice today of  
20 Ohio.  
21 Q. Oh, okay.  
22 A. And he was a City of Toledo councilman and  
23 lawyer here in Toledo and so forth.  
24 Q. So he had a fair amount of local power?

1 A. Yes.  
2 Q. So that's how he got away with it?  
3 A. I'm assuming. I just used to drive by  
4 there and I'd see that and I'd say I wonder  
5 how he gets away with that.  
6 Q. Do you know anything about the entity  
7 called Incorporated Craft?  
8 A. No, I don't.  
9 Q. Do you know anything about an entity called  
10 S. M. Allen, Inc.?  
11 A. S. M. Allen?  
12 Q. Yes.  
13 A. I think they were in the X-Chem building  
14 prior to X-Chem going in there.  
15 Q. Who operated that entity? Do you know?  
16 A. No, I don't know.  
17 Q. You don't know?  
18 A. I didn't have any business relationship  
19 with them. I just know of the facility  
20 being there.  
21 Q. Do you know whether Mr. Bowman was  
22 involved with S. M. Allen?  
23 A. I have no idea.  
24 Q. Are you familiar with an entity called

1 Buckeye Paint & Varnish?  
2 A. I've heard the name, but I'm not familiar  
3 with them.  
4 Q. Do you know whether they might have been  
5 located at the same location as the X-Chem  
6 facility?  
7 A. I do not.  
8 Q. Do you know whether there is a relationship  
9 between the entity called Buckeye Paint &  
10 Varnish and the entity called Buckeye  
11 Brewery?  
12 A. Oh, golly, that would be before my time.  
13 No.  
14 Q. Do you know whether there was a  
15 relationship between Mr. Barry Cousins and  
16 Mr. Ralph Bowman?  
17 A. Not that I have any information on.  
18 MS. ESTES: This is going to  
19 take longer than I thought. Why don't  
20 we take a break.  
21 (WHEREUPON, A BREAK WAS TAKEN.)  
22 Q. Mr. Benton, do you know anything about the  
23 entity called ABC Sanitation?  
24 A. ABC is a small hauling operation that I

1 guess is located up in the Temperance,  
2 Michigan, area.  
3 Q. Did they do any hauling in the Toledo area?  
4 A. I think they had some commercial accounts  
5 in this area, how many I don't know.  
6 Q. Do you have any idea if they hauled to the  
7 Stickney, Tyler or Dura landfills?  
8 A. No, I don't.  
9 Q. Are you familiar with an entity called AP  
10 Parts Manufacturing Company?  
11 A. What is it, AP Parts?  
12 Q. AP Parts.  
13 A. I'm familiar with it, yes.  
14 Q. Do you happen to know what company might  
15 have serviced AP Parts' waste disposal?  
16 A. As far as I know Community Sanitation  
17 originally had it and then BFI acquired  
18 them and continue to this day to pick up  
19 the solid waste from there.  
20 Q. Do you know if AP Parts had any disposal of  
21 liquids or drum waste?  
22 A. Not that I'm aware of.  
23 Q. Do you know if AP Parts ran any of its own  
24 trucks to the Stickney, Tyler or Dura

1 landfills?  
2 A. Not that I'm aware of.  
3 Q. I'm going to go down a list of companies  
4 and essentially the questions are the same.  
5 If you know anything about the entity we'll  
6 spend a little time on it, if you don't  
7 just tell me and we won't continue any  
8 further.  
9 Acklin Stamping Company?  
10 A. No, that was picked up commercially, I  
11 believe by Community Sanitation.  
12 Q. Do you know what type of waste they had?  
13 A. Just in-plant trash dunnage, paper,  
14 banding.  
15 Q. Mr. Benton, all those industries, somebody  
16 had liquid waste. Who --  
17 A. I'm just telling you who picked them, you  
18 know, who picked them up. You know, I  
19 don't know what they did. I wasn't in the  
20 liquid waste business so I don't know what  
21 they did with them.  
22 Q. So you have no knowledge really of who  
23 might have disposed of liquid waste and who  
24 might have picked up liquid waste?

1 A. No. It could have been one of the  
2 companies that we had talked about earlier  
3 coming in to those plants.  
4 Q. Okay, but you have no knowledge of who it  
5 might have been?  
6 A. No, I do not.  
7 Q. Did you ever attempt to get this, get the  
8 Acklin Stamping contract?  
9 A. Yes, we put a bid in on that.  
10 Q. Did you tour their facility as part of the  
11 preparation of that bid?  
12 A. Yes, we did.  
13 Q. What would you do for them in terms of your  
14 engineered program of waste disposal?  
15 A. Well, basically by the time that we were  
16 involved with Acklin Stamping is that they  
17 already had a mechanized system for  
18 handling their material and we simply were  
19 bidding on duplicating that system that  
20 they had of one of in-plant containers  
21 which were rolled to a compaction machine  
22 and dumped into the compactor and then that  
23 solid waste hauled off to a landfill.  
24 Q. Was that what you meant usually by an

1 engineered system of waste disposal, having  
2 the, taking the waste to a central  
3 compactor?  
4 A. Correct.  
5 Q. Did you do anything else, did you help  
6 companies set up any other kinds of systems  
7 other than that?  
8 A. No. No, we simply went in and looked at  
9 the application as far as the types of  
10 equipment that we had and how was it  
11 applicable to their operation and what kind  
12 of trash did they have and how did they  
13 convey it from their point of when they  
14 opened the product or made the product to  
15 where they had to dispose of it in the  
16 plant.  
17 So we tried to come up with a  
18 mechanism of getting it there as  
19 economically as possible. If it meant  
20 putting a baler on-site and throwing  
21 cardboard into a baler and making a bale of  
22 cardboard, which we did for Ford Motor  
23 Company in Lima when we put twenty-two  
24 balers in there instead of hauling all that

1 cardboard to another end of the plant, and  
2 they were able to retrieve money for that  
3 product at that point in time, then it made  
4 sense. These are the kinds of things that  
5 we did.  
6 Q. Did you ever see any trucks of Acklin  
7 Stamping at Stickney, Tyler or Dura?  
8 A. No, I did not.  
9 Q. Are you familiar with an entity called Acme  
10 Quality Paint?  
11 A. No.  
12 Q. So you don't have any idea of who might  
13 have picked up their waste?  
14 A. No, I don't.  
15 Q. Are you familiar with an entity called  
16 Allied Chemical?  
17 A. Yes.  
18 Q. Do you know who might have picked up Allied  
19 Chemical's waste?  
20 A. Allied Chemical had their own trucks and  
21 hauled to the Dura landfill.  
22 Q. Do you know if they hauled to the Stickney  
23 or Tyler landfills?  
24 A. No, I don't, but I did see them in the Dura

1 landfill daily. I mean I knew their trucks  
2 went there daily.  
3 Q. But you never saw them at Stickney or  
4 Tyler?  
5 A. No.  
6 Q. What did their trucks look like?  
7 A. It was a lugger type vehicle. When I say  
8 lugger it was something with arms with  
9 chains on it that reached down and picked  
10 up a container and took it to the landfill,  
11 and they had a dedicated driver there.  
12 That's all he did every day.  
13 Q. What types of waste did Allied Chemical  
14 dispose of at the Dura landfill?  
15 A. From what I saw of it it was a lot of  
16 powdery material. I don't know whether  
17 they made, I don't know exactly the nature  
18 of the product they made over there, but it  
19 was a powdery type material, different  
20 colors.  
21 Q. Do you know what color it was?  
22 A. Well, there was whites and blues and greens  
23 and different colors. I think they may  
24 have made pigment for plastics or

1 something.  
2 Q. Did it appear to be pigment?  
3 A. No, I don't know. I say it looked like a  
4 filler of some sort for something.  
5 Q. Did it have some type of chemical smell?  
6 A. Not that I was aware of.  
7 Q. Were you close enough to this material for  
8 it to have irritated your eyes?  
9 A. I was close enough, but it didn't irritate  
10 my eyes.  
11 Q. Did it cause any other health effects,  
12 headaches, make you cough or sneeze,  
13 anything like that?  
14 A. No. I imagine if you inhaled, you know,  
15 quite a bit of it it would impair your  
16 breathing, but that wasn't the case.  
17 I only was, they had him dump in a  
18 different part of the landfill away from  
19 the other vehicles. I just happened to see  
20 it one day when I was there and looked at  
21 the stuff.  
22 Q. American Cyanimid, are you familiar with  
23 that entity?  
24 A. Yes, I am.

1 Q. Do you know who disposed of American  
2 Cyanimid's waste?  
3 A. As far as I know it was Community  
4 Sanitation and BFI.  
5 Q. Did you ever have the occasion to bid on  
6 the American Cyanimid contract?  
7 A. No.  
8 Q. Do you know what American Cyanimid's waste  
9 stream might have been?  
10 A. No. I had made some, you know, letters, I  
11 sent letters asking to bid on the facility  
12 and so forth, but I don't know exactly what  
13 they are. I know they're located out in  
14 Perrysburg.  
15 Q. Did you ever see any of American Cyanimid's  
16 own trucks at the Stickney, Tyler or Dura  
17 landfills?  
18 A. No, I did not.  
19 In fact, they're even in Wood County.  
20 They're in another, total other county.  
21 Q. Did you see them in any other landfills?  
22 A. No.  
23 Q. Do you happen to know whether they had any  
24 business dealings with S. M. Allen?

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1 A. None that I'm aware of.  
 2 Q. Are you familiar with an entity called  
 3 Andersons? That's all I have.  
 4 A. The Andersons? I mean if it's The  
 5 Andersons there's a farm, grain elevator  
 6 called The Andersons. Is this the one  
 7 we're referring to?  
 8 Q. Yes.  
 9 A. Yes, I'm familiar with them.  
 10 Q. Who picked up their waste?  
 11 A. I picked up their waste for approximately  
 12 two years.  
 13 Q. What time period?  
 14 A. I'm going to say it was in the late '60's,  
 15 early '70's, just before I was acquired by  
 16 Waste Management.  
 17 Q. What did their waste consist of?  
 18 A. They had a farm store, like a discount  
 19 store. They had cardboard and stuff from  
 20 like a discount store and then they had  
 21 spoiled grain from the grain elevator.  
 22 Q. Did they have, did they sell fertilizer?  
 23 A. They sold fertilizer.  
 24 Q. Did they ever have fertilizer as part of

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1 their waste?  
 2 A. Not that I'm aware of.  
 3 Q. Did they sell any pesticides or herbicides?  
 4 A. They may have, but I wasn't involved in any  
 5 of that.  
 6 Q. Do you know whether they had that in their  
 7 waste?  
 8 A. To the best of my knowledge they didn't  
 9 have it in their waste.  
 10 Q. Art Iron?  
 11 A. I'm familiar with Art Iron.  
 12 Q. Did you ever pick up their waste for them?  
 13 A. No. That was just a small commercial  
 14 account where they had dumpsters, put their  
 15 wood, dunnage and stuff in.  
 16 They're just a steel fabricator. I  
 17 believe BFI has that account.  
 18 Q. Who had it before BFI?  
 19 A. Well, Community Sanitation.  
 20 Q. Did you ever see any trucks from Art Iron  
 21 in the Stickney, Tyler or Dura landfills?  
 22 A. No.  
 23 Q. Are you familiar with an entity called  
 24 Electric Auto-Lite?

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1 A. Yes, I am.  
 2 Q. Do you know who disposed of their waste?  
 3 A. I guess the way, I guess I'll have to  
 4 rephrase this, they changed their name to  
 5 Prestolite. Have you got Prestolite down  
 6 there on your list someplace?  
 7 Q. I have a Bendix Auto-Lite.  
 8 A. No, it's called Prestolite. Auto Electric  
 9 became Prestolite.  
 10 Q. No, I don't have that.  
 11 A. Well, anyway, it's one in the same and they  
 12 didn't have any manufacturing facilities.  
 13 All that was was an office complex there.  
 14 Their manufacturing ceased I guess  
 15 back in the late '40's or something here  
 16 and they simply kept their offices here on  
 17 Hamilton Street. Do you have an address  
 18 there for them?  
 19 Q. I don't. I do have on some of these  
 20 entities, but not all of them.  
 21 A. Well, anyway, you might want to make a note  
 22 to put Prestolite beside it or something so  
 23 in case that name comes up.  
 24 Basically all it was was their

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1 marketing and administrative arm was here  
 2 in Toledo. I don't know where they  
 3 actually did their manufacturing. Years  
 4 ago they did it here, but that plant ceased  
 5 being in operation thirty-five years ago.  
 6 Q. Bendix Auto-Lite, are you familiar with  
 7 that entity?  
 8 A. Bendix? Bendix is -- have you got Toledo  
 9 Stamping down there?  
 10 Q. Yes.  
 11 A. Bendix acquired Toledo Stamping and then  
 12 Allied Signal acquired it from them.  
 13 Q. Do you know what year Bendix Auto-Lite was  
 14 acquired by Toledo Stamping?  
 15 A. No, I don't.  
 16 Q. When you were in business was it called  
 17 Bendix Auto-Lite or Toledo? Was it already  
 18 Toledo Stamping?  
 19 A. They basically always called it Toledo  
 20 Stamping doing, you know, as a subsidiary  
 21 of whatever company that owns them. I mean  
 22 they've been owned by a half dozen  
 23 different companies. Toledo Stamping is  
 24 still in business here.

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1 Their trash back in the '60's was  
 2 hauled by Community Sanitation.  
 3 Q. Have you ever seen any trucks from Toledo  
 4 Stamping at the Stickney, Tyler or Dura  
 5 landfills?  
 6 A. No, I have not.  
 7 Q. Maybe we can short circuit this. Do you  
 8 remember seeing any individual companies'  
 9 trucks at the Stickney, Tyler and Dura  
 10 landfills?  
 11 A. The Textileather people, they used to have  
 12 a truck come over there and dump off  
 13 barrels of stuff.  
 14 Q. Barrels of what?  
 15 A. Whatever, dyes and inks and stuff that they  
 16 have over there.  
 17 Q. Would it be some type of chemical?  
 18 A. It could very well have been. I don't  
 19 know. They may have used it to clean off  
 20 their machines that make that imitation  
 21 leather or something, but anyway I used to  
 22 see their trucks in there.  
 23 They had -- now let's picture the  
 24 landfill so I can give you --

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1 Q. Which landfill are you referring to?  
 2 A. We're talking about the Dura landfill.  
 3 When you would come into the landfill  
 4 they had an area for the solid waste, which  
 5 is the general trash. Then kind of over  
 6 the hill and down a little lower, another  
 7 level, they had a brush area where all the  
 8 city trucks would bring their brush in and  
 9 landscapers and so forth, and then these  
 10 people that hauled barrels of solvents or  
 11 whatever you're talking about would dump it  
 12 into that brushy area so they could use it  
 13 to burn the, they had a fire going there  
 14 constantly, and they would burn the brush  
 15 and stuff that came in from the various  
 16 city parks or rights-of-way or something,  
 17 and would burn all these trees and stuff  
 18 with it, and I used to always watch those  
 19 trucks go down in there and dump those  
 20 barrels off of stuff. Now, where they all  
 21 came from I don't know.  
 22 Q. Were you at the Dura landfill a lot more  
 23 than you were at Stickney and Tyler?  
 24 A. Oh, yeah. I mean Dura was, you know,

1 opened a lot longer.  
 2 Now, the Tyler Street thing was filled  
 3 up basically before the Dura landfill  
 4 became, you know, active. That was the  
 5 first landfill that I knew about in the  
 6 city.  
 7 That's where my, I told you my father,  
 8 I was 7 or 8 years old, my father used to  
 9 get scrap iron out of there. Then he  
 10 retired and went on his way and I kind of  
 11 fell into the business thereafter.  
 12 Q. I don't know whether to go through this  
 13 list of companies or not. I don't want to  
 14 bore you or just keep you saying no I don't  
 15 know anything about them.  
 16 Would it be helpful if I just go  
 17 through the list and if you know anything,  
 18 if you recognize any of these companies,  
 19 particularly interested in liquid or  
 20 chemical waste disposal, if you could stop  
 21 me and we could talk about that entity.  
 22 How did you know that the Textileather  
 23 trucks were from Textileather?  
 24 A. Name on the truck.

1 Q. What color were the trucks to the best of  
 2 your knowledge?  
 3 A. Oh, golly, I don't remember the color of  
 4 truck. I thought it was blue or something  
 5 like that, light blue or something, but I  
 6 cannot verify that.  
 7 Q. Did you see the Textileather trucks every  
 8 day?  
 9 A. Well, whenever I was in there.  
 10 Q. Whenever you were at Dura you saw them?  
 11 A. Yeah.  
 12 Q. Now, we're going to refer to just at this  
 13 point Stickney, Tyler or Dura. British  
 14 Petroleum, Standard Oil, were they involved  
 15 at the Otter Creek Road facility?  
 16 A. Yes, they were.  
 17 Q. Buckeye Brewing?  
 18 A. No. That was, they were out of business  
 19 long before I.  
 20 Q. Bulk Materials, Inc.?  
 21 A. Don't know them.  
 22 Q. Bunting Bearings Corporation on --  
 23 A. Spencer.  
 24 Q. -- Holland Park Boulevard?

1 A. Oh, okay. Well, before that they were on  
 2 Spencer Street in Toledo, when this, when  
 3 that was being used. They had, again,  
 4 Community Sanitation or BFI picked up their  
 5 trash.  
 6 Q. And you never saw any of their trucks at  
 7 Stickney, Tyler or Dura?  
 8 A. No, I did not.  
 9 Q. Chevron USA, Inc.?  
 10 A. That's Gulf.  
 11 Q. Champion Spark Plug?  
 12 A. Yes.  
 13 Q. Do you know anything about their waste  
 14 disposal?  
 15 A. Yeah, I had Champion Spark Plug for a short  
 16 time. I took it away from or bid away from  
 17 Community Sanitation.  
 18 Q. Do you know whether they used the King Road  
 19 facility?  
 20 A. I saw their truck used to come in to the  
 21 Dura landfill. They had a big dump truck,  
 22 Champion did, and they used the Dura  
 23 facility.  
 24 Q. Did you ever see them at either Stickney or

1 Tyler?  
 2 A. No. They used to haul like the sludge, the  
 3 grindings from, oh, when they made the  
 4 ceramic tops for the spark plugs, they had  
 5 a dump truck that they would haul that  
 6 stuff in to the landfill.  
 7 Q. To the Dura landfill?  
 8 A. Yes.  
 9 Q. Did you ever see them at Stickney or Tyler?  
 10 A. No.  
 11 Q. Did you ever see them at the King Road  
 12 facility?  
 13 A. Yes.  
 14 Q. What would they haul to King Road?  
 15 A. Same thing.  
 16 Q. Where were they located? Were they closer  
 17 to King Road? Were they closer to  
 18 Stickney, Tyler and Dura?  
 19 A. No, they were probably halfway between them  
 20 both. They're located on the south side of  
 21 the city here.  
 22 Q. The address I have is 900 Upton Avenue.  
 23 A. Correct.  
 24 Q. Is that the address of the factory?

1 A. Plant, uh-huh.  
 2 Q. Do you know anything about an entity called  
 3 Chase Packing?  
 4 A. Yes.  
 5 Q. What do you know about that entity?  
 6 A. Well, they made paper bags.  
 7 Q. Did you ever see any of their trucks  
 8 hauling liquid waste or chemicals?  
 9 A. No.  
 10 Q. Who had their, who had that account?  
 11 A. I really don't know. They didn't have that  
 12 much.  
 13 I hauled their paper out of there. I  
 14 mean from, I had a man stay right there in  
 15 the baler at their plant and bale all their  
 16 paper and everything, and I never really  
 17 saw anybody. Unless they just hired like a  
 18 Jim Hill or somebody like that to haul  
 19 their stuff.  
 20 Q. City Auto Stamping, are you familiar with  
 21 that entity?  
 22 A. Yes.  
 23 Q. Who hauled the waste for City Auto  
 24 Stamping?

1 A. Again, we're back to Community Sanitation  
 2 and BFI.  
 3 Q. Did you ever see any of City Auto  
 4 Stamping's own trucks in the Stickney,  
 5 Tyler or Dura sites?  
 6 A. No, I didn't.  
 7 Q. Let me just back up a minute. How did you  
 8 know that the Champion, that the Champion  
 9 trucks were from Champion?  
 10 A. It was clearly marked with their Champion  
 11 logo on the doors.  
 12 Q. Do you remember what kind of trucks they  
 13 were?  
 14 A. It was a semi tractor with a dump trailer.  
 15 The trailer was gray even. I can tell you  
 16 that much.  
 17 Q. The trailer was gray. What color was the  
 18 cab?  
 19 A. White and red and black with their emblem  
 20 on it.  
 21 Q. Cleveland Metal, are you familiar with that  
 22 entity?  
 23 A. I know where they're at. They're on Hill  
 24 Avenue I believe.



1 Q. I don't have an address for them.  
 2 A. Okay.  
 3 Q. Do you know who handled their waste  
 4 disposal?  
 5 A. No, I don't.  
 6 Q. Community Traction Company, which is now  
 7 TARTA, are you familiar with who handled  
 8 their waste disposal?  
 9 A. Again, it was Community Sanitation and then  
 10 became BFI.  
 11 Q. Did you ever see any waste being hauled by  
 12 Community Traction trucks?  
 13 A. Yes.  
 14 Q. What kind of waste was it?  
 15 A. Just general trash. They used to have bus  
 16 stops around town and so forth. I think  
 17 they still do it today. They have, their  
 18 dump truck will come to the dump once in a  
 19 while.  
 20 Q. Did you ever see any waste oils,  
 21 transmission fluids, gasoline, being hauled  
 22 by Community Traction Company?  
 23 A. No, it looked more like trash from trash  
 24 barrels at their bus stops or something.

1 Q. And where did they dispose of the waste?  
 2 A. I saw them at the Dura landfill.  
 3 Q. Did you see them either at Stickney or  
 4 Tyler?  
 5 A. No.  
 6 Q. Are you familiar with an entity called  
 7 Conforming Matrix?  
 8 A. I know they, I think they're on New York  
 9 Avenue.  
 10 Q. I don't have an address.  
 11 A. Okay. I'm familiar with them, yes.  
 12 Q. Do you know who handled their waste?  
 13 A. No, I don't.  
 14 Q. Dana Corporation, I assume you're familiar  
 15 with that entity?  
 16 A. Uh-huh.  
 17 Q. Do you know who handled their waste  
 18 disposal?  
 19 A. Yes, Community Sanitation and BFI, and then  
 20 they closed their plants here in Toledo.  
 21 They used to have a transmission, the truck  
 22 transmission division here on --  
 23 Q. Is that the Spicer Division?  
 24 A. Spicer Division.

1 Q. They don't have any plants here still?  
 2 A. Just their corporate offices here.  
 3 Q. Corporate headquarters, yes, okay.  
 4 Did you ever see any trucks from Dana  
 5 Corporation in either the Stickney, Tyler  
 6 or Dura landfills?  
 7 A. No.  
 8 Q. And do you know, have any idea what  
 9 Community Sanitation hauled for Dana?  
 10 A. Well, they had, when they were going strong  
 11 in the '60's, they must have had eight or  
 12 nine containers, what they call open top  
 13 dump styles, and then the compaction  
 14 containers, scattered throughout the plants  
 15 hauling various things from sludges to, you  
 16 know, to general trash.  
 17 Q. Were you familiar with any drum or liquid  
 18 waste disposal from Dana Corporation?  
 19 A. No.  
 20 Q. But you wouldn't really know what Community  
 21 Sanitation would haul from there?  
 22 A. That's correct.  
 23 Q. Are you familiar with an entity called the  
 24 DeVilbiss Company?

1 A. Yes.  
 2 Q. Do you know anything about their waste  
 3 disposal?  
 4 A. Again, that was another company handled by  
 5 the BFI/Waste Management people until they,  
 6 you know, moved out of town.  
 7 Q. Did you ever have the occasion to bid on  
 8 the Dana Corporation account?  
 9 A. No, I wasn't big enough when they were, you  
 10 know, when they were, before they moved out  
 11 of town.  
 12 Q. What about DeVilbiss?  
 13 A. DeVilbiss? We bid on it, but I never got  
 14 the account.  
 15 Q. Did I ask you about Continental Aviation?  
 16 A. Teledyne.  
 17 Q. Is that Teledyne?  
 18 A. Yes.  
 19 Q. Are you familiar with that entity?  
 20 A. Yes.  
 21 Q. Who handled their waste disposal?  
 22 A. That was bid on an annual basis. I think  
 23 everybody got a shot at that, Community,  
 24 myself, several other contractors, because

1 it was a government installation and they  
 2 had to bid it on an annual basis.  
 3 Q. What year or years did you handle that  
 4 contract?  
 5 A. I had it on and off in '69 and '70 I think  
 6 I had it and then again, well, of course  
 7 when Benton Enterprises was formed in the  
 8 '80's I bid it again then, but that would  
 9 be well after the time we're talking about  
 10 here.  
 11 Q. What did you haul from Teledyne in '69 and  
 12 '70?  
 13 A. It was a compactor and it was general plant  
 14 trash, dunnage, cartons, a lot of  
 15 styrofoam. They must have got a lot of  
 16 parts in packed in popcorn styrofoam  
 17 because it always blew all over the place  
 18 every time we'd pull a machine away from  
 19 the wall.  
 20 That's the extent of it. I mean they  
 21 had a cafeteria in there.  
 22 Q. Any floor sweepings?  
 23 A. I'm sure there was probably some floor  
 24 sweepings in there.

1 Q. Were they at all saturated with liquids?  
 2 A. That I don't know.  
 3 Q. Did you physically pick up the trash from  
 4 Teledyne?  
 5 A. I had an occasion to pick up the trash from  
 6 Teledyne.  
 7 Q. How often did you do that?  
 8 A. I can remember, you know, five or six times  
 9 going in there and physically working with  
 10 the driver, training him in picking it up.  
 11 Q. And where did you take Teledyne's trash?  
 12 A. Teledyne went to the Hagman Road landfill.  
 13 Q. You never took any trash from Teledyne to  
 14 Stickney, Tyler or Dura?  
 15 A. No, because at that time, by the time I got  
 16 that account they were, we were barred from  
 17 using those landfills.  
 18 Q. The Hagman Road, that was the one that was  
 19 developed by BFI?  
 20 A. BFI. It was open to the public.  
 21 Q. Are you familiar with an entity called  
 22 Doehler Die Casting Company?  
 23 A. Yes.  
 24 Q. What do you know about their waste

1 disposal?  
 2 A. Again, I think you asked me that earlier  
 3 and they said I did their hauling.  
 4 Q. Yes, excuse me, I did. That's right,  
 5 sorry. We'll skip that.  
 6 Dura Corporation, are you familiar  
 7 with a entity called Dura Corporation?  
 8 A. Yes, I am.  
 9 Q. Do you know who handled their waste  
 10 disposal?  
 11 A. Yes, it was Community Sanitation in the  
 12 early days and then Waste Management took  
 13 it, you know, some time after that, after  
 14 I, they took it after I was out of there,  
 15 shortly thereafter.  
 16 Q. Do you know anything about their waste  
 17 disposal during the years that Community  
 18 Sanitation had it?  
 19 A. No. The only thing I serviced at Dura was  
 20 their cafeteria. I had a couple small  
 21 dumpsters in there for kitchen waste.  
 22 Q. This is prior to your selling out?  
 23 A. Selling out through, yeah.  
 24 They had an independent food

1 contractor run their kitchen. So it was  
 2 their responsibility. They didn't want  
 3 their kitchen waste in their compactor,  
 4 probably from an odor standpoint I'm sure.  
 5 Q. Did you ever see any trucks from Dura  
 6 Corporation at the Stickney, Tyler or Dura  
 7 landfills?  
 8 A. No, I did not.  
 9 Q. E. I. DuPont De Nemours & Company, are you  
 10 familiar with that entity?  
 11 A. Yes.  
 12 Q. Who handled their waste disposal?  
 13 A. For many years Community Sanitation had it  
 14 and then Cousins' Waste Material went in  
 15 there and took the account, and when we  
 16 acquired Cousins' at Waste Management we  
 17 ended up with the account, and I think  
 18 Waste Management still has it today.  
 19 Q. Are you familiar with the waste, what types  
 20 of waste were disposed of by DuPont?  
 21 A. The wastes that we were picking up was  
 22 general plant waste. We, I say we, Benton  
 23 Enterprises at the time, didn't haul any  
 24 liquid waste from DuPont.

1 Q. You mean Benton Village Sanitation Service?  
 2 A. Correct, Benton Village Sanitation Service.  
 3 Q. Benton Enterprises was formed in 1980?  
 4 A. '84.  
 5 Q. '84, okay, so any time you say Benton  
 6 Enterprises prior to 1984 you mean Benton  
 7 Village Sanitation Service?  
 8 A. That's correct.  
 9 Q. Did you ever see any trucks from DuPont in  
 10 either the Stickney, Tyler or Dura  
 11 landfills?  
 12 A. No.  
 13 Q. Are you familiar with an entity called Earl  
 14 Scheib of Ohio, Inc.?  
 15 A. The body shops, yes.  
 16 Q. Do you know who handled their waste  
 17 disposal?  
 18 A. Community Sanitation.  
 19 Q. Do you have any knowledge as to what types  
 20 of waste they had?  
 21 A. Paper, old paint cans. When I say paper I  
 22 mean the paper where they had taped the car  
 23 and spray the car and things like that.  
 24 They had real small dumpsters.

1 Q. Anything else but paints?  
 2 A. Not that I know of.  
 3 Q. But you wouldn't really know, right?  
 4 A. No, because I didn't pick the account up.  
 5 I just happened to see their dumpsters.  
 6 Q. Did you ever see any of their trucks at  
 7 Stickney, Tyler or Dura?  
 8 A. No. I don't think they even had any  
 9 trucks.  
 10 Q. Edelstein Company, are you familiar with  
 11 that entity?  
 12 A. Yes.  
 13 Q. What kind of, what did they do?  
 14 A. Scrap yard, iron and steel.  
 15 Q. And did they handle anything else to your  
 16 knowledge?  
 17 A. They're not in the trash business, no.  
 18 Q. Who picked up their waste?  
 19 A. I don't think anybody picked up their  
 20 waste.  
 21 Q. Did they just dispose of whatever they had  
 22 at their own facility?  
 23 A. Well, they only bought iron and metal.  
 24 They didn't buy trash. I mean I don't

1 know.  
 2 Q. Everybody generates some kind of trash,  
 3 right? No matter what you do you generate  
 4 something.  
 5 A. Somebody may have a, you know, a container  
 6 there, but I don't know who it would be.  
 7 They have their own trucks that have  
 8 containers.  
 9 The Edelstein Company, you know, has  
 10 been around for probably eighty years or  
 11 something. It's an old, old company. So  
 12 they may haul their own stuff. I don't  
 13 know.  
 14 Q. But you're not sure?  
 15 A. I'm not sure.  
 16 Q. And I know that Farley, Inc., acquired  
 17 Doehler-Jarvis, but did they ever operate  
 18 independently here in Toledo?  
 19 A. Not that I know of. It's always been  
 20 Doehler-Jarvis as far as I know.  
 21 Q. Are you familiar with an entity called a  
 22 Federal Mogul Corporation?  
 23 A. I've heard the name, but I don't know who  
 24 they're associated with here.

1 Q. Are you familiar with Flower Memorial  
 2 Hospital?  
 3 A. Yes.  
 4 Q. Who handles the hospital's waste disposal?  
 5 A. Flower? I really don't know who handles  
 6 Flower Hospital.  
 7 Q. Gencor, are you familiar with Gencor?  
 8 A. Well, Gencor is Textileather. I don't know  
 9 when that name, when they changed their  
 10 name. I think that came later.  
 11 Q. I think it was in the '50's.  
 12 Are you familiar with General Mills?  
 13 A. Yes.  
 14 Q. Do you know who handled their waste  
 15 disposal?  
 16 A. Yes, BFI or Community Sanitation.  
 17 Q. Did you ever see any General Mills trucks  
 18 in the Stickney, Tyler or Dura landfills?  
 19 A. No.  
 20 Q. General Motors Corp., I know we talked  
 21 about them, but did you ever see any trucks  
 22 from General Motors in the Stickney, Tyler  
 23 or Dura landfills?  
 24 A. No, I did not.

1 Q. Did Goodyear have a facility here?  
 2 A. Goodyear had a facility in Luckey, Ohio,  
 3 which is probably, what is it, 20-some  
 4 miles out of town here I assume.  
 5 Q. Do you know who handled Goodyear's waste  
 6 disposal?  
 7 A. Cousins.  
 8 Q. Did Waste Management acquire that account  
 9 when they acquired Cousins?  
 10 A. Yes, they did.  
 11 Q. Are you familiar with Goodyear's, the type  
 12 of waste that Goodyear disposed of?  
 13 A. They made foam backing for seats.  
 14 Q. They didn't do tires?  
 15 A. No, they made the foam, you know, the  
 16 inner, inside your seats, the foam rubber.  
 17 Q. This was part of Goodyear Tire?  
 18 A. Yes.  
 19 Q. Did you ever see any Goodyear trucks in the  
 20 Stickney, Tyler or Dura landfills?  
 21 A. No, I did not.  
 22 Q. Gulf Oil Company, did you, are you familiar  
 23 with their waste disposal?  
 24 A. Just limited knowledge. It's a, you know,

1 a refinery. I never saw their trucks, you  
 2 know, in the Dura landfill.  
 3 They were just around the corner from  
 4 the Otter Creek Fondessy landfill. I  
 5 assume they may have used that one. They  
 6 were real close to it.  
 7 Q. Do you know for sure?  
 8 A. No, I don't.  
 9 Q. Was there an entity called Gulf Refinery  
 10 that was separate and apart from Gulf Oil  
 11 or was that part of Gulf Oil?  
 12 A. I have no idea.  
 13 Q. Are you familiar with an entity called  
 14 Haughton Elevators?  
 15 A. Yes.  
 16 Q. Do you know who handled their waste  
 17 disposal?  
 18 A. Again, that was BFI or Community  
 19 Sanitation. They made escalators.  
 20 Q. Not elevators?  
 21 A. I think they made elevators too, but their  
 22 big claim to fame was -- they're out of  
 23 town. They're another one moved out of  
 24 here. They're not here anymore.

1 Q. A lot of companies moved out of town,  
 2 didn't they?  
 3 A. They sure did.  
 4 Q. Did you ever see any trucks from Haughton  
 5 Elevators at the Stickney, Tyler or Dura  
 6 landfills?  
 7 A. No.  
 8 Q. Illinois Tool Works, did you, are you  
 9 familiar with that entity's waste disposal?  
 10 A. Not unless there's some other name they're  
 11 known by.  
 12 Q. ITW?  
 13 A. No, don't know it.  
 14 Q. Industrial Heating?  
 15 A. Okay, yeah, I know where that is, was, used  
 16 to be. It's gone now.  
 17 Theirs was, they were a heat treating  
 18 company right down here, right downtown  
 19 here in fact. Their material consisted of,  
 20 oh, like slag or something from when they  
 21 would heat treat the, whatever the product  
 22 was, the metal and so forth, there would be  
 23 some slag left over. That was the nature  
 24 of their trash.

1 I serviced that in the late '60's,  
 2 that account.  
 3 Q. Approximately what years?  
 4 A. '68, '69.  
 5 Q. And was the slag part of the waste that you  
 6 handled?  
 7 A. Correct.  
 8 Q. Where would this waste be taken?  
 9 A. I believe it was in that period of time was  
 10 taken to the Gradel site.  
 11 Q. Do you know whether Industrial Heating at  
 12 any time used the Stickney, Tyler or Dura  
 13 landfills?  
 14 A. No, I don't.  
 15 Q. How many years did you service them?  
 16 A. Well, I mean till they sold out. It was  
 17 like three years.  
 18 Q. Okay, and who serviced them prior to that  
 19 time?  
 20 A. I believe it was BFI or Community  
 21 Sanitation.  
 22 Q. The Inland Chemical Division on -- never  
 23 mind.  
 24 A. We had that one.

1 Q. Oh, that's right.  
 2 A. Inmont.  
 3 Q. I think, aren't Inland and Inmont separate  
 4 entities?  
 5 A. Not that I know of.  
 6 Q. Because I had two separate locations for  
 7 them. I had --  
 8 A. Oh, you're right. You're right, I'm  
 9 thinking of something altogether different.  
 10 Right, Inland Chemical was -- all right, I  
 11 know who you're talking about. I'm getting  
 12 ahead of myself here.  
 13 Q. I had an Inland --  
 14 A. Buckingham.  
 15 Q. Inmont on Buckingham and Inland on Bush  
 16 Street?  
 17 A. That's right.  
 18 Q. Now, is this Inland on Bush Street the same  
 19 as Inland Chemical, or is that another  
 20 entity?  
 21 A. No, they're completely different companies.  
 22 Q. What does Inland Chemical do?  
 23 A. They mix chemicals and so forth for  
 24 cleaning, soaps and things like that.

1 Q. And do you know where their facility was  
 2 located?  
 3 A. On Bush Street.  
 4 Q. No, I was talking about Inland Chemical.  
 5 Is that Inland Chemical and Inland on Bush  
 6 Street, that's the same? Inland Chemical  
 7 and Inland are the same thing?  
 8 A. Yes.  
 9 Q. I asked you that and you said --  
 10 A. Oh, I'm sorry, I thought you meant Inmont  
 11 on Buckingham. That's what I was referring  
 12 to. I thought those were one in the same.  
 13 Q. Are you familiar with an entity called  
 14 Inshield Die?  
 15 A. Yes, I am.  
 16 Q. Who handled their waste disposal?  
 17 A. I know that, I believe BFI has it right  
 18 now, Community Sanitation. It's a small  
 19 tool and die operation on Manhattan  
 20 Boulevard. I don't know if you've got an  
 21 address on it there or not.  
 22 Q. No, I don't.  
 23 A. Okay.  
 24 Q. Do you have any idea what their waste would

1 be like?

2 A. Again, it would be, you know, wood, office

3 waste, because they get coils of steel in

4 and they process it somehow, and so they

5 don't actually manufacture anything. They

6 like cut the steel to certain lengths and

7 so forth.

8 Q. They'd probably have some type of metal

9 shavings, would they not?

10 A. I would assume they would.

11 Q. But you don't know?

12 A. They have a scrap --

13 Q. You don't know?

14 A. -- scrap bucket there too that Edelstein

15 hauls their scrap iron. So they may throw

16 the shavings and stuff into that.

17 Q. Inter Chemical, are you familiar with that

18 entity?

19 A. Inter Chemical? No. Do you have an

20 address on that?

21 Q. I don't.

22 A. Okay, that name doesn't ring a bell.

23 Q. J. C. Penney, are you familiar with them?

24 A. Yes, J. C. Penney.

1 Q. Did they have automobile servicing

2 facilities here in the Toledo area?

3 A. Yes, they did.

4 Q. Do you know who would haul their waste oil,

5 waste transmission fluid, from those

6 facilities?

7 A. No, I don't. It could have been one of

8 those three that we talked about earlier.

9 We hauled the solid waste from their

10 facilities.

11 Q. Ace Oil?

12 A. Ace Oil or Oberle or one of the others.

13 Q. But you don't know?

14 A. I don't know.

15 Q. You hauled their solid waste?

16 A. Yes.

17 Q. What years did you do that?

18 A. '65 through till I left, '71.

19 Q. You didn't leave in '71?

20 A. Or '70. I say '71, '72, or whenever it was

21 that, or '73, sometime in '73. It was

22 whenever I, till I left we had that

23 account.

24 Q. Did you ever see any J. C. Penney trucks at

1 Stickney, Tyler or Dura landfills?

2 A. No, I did not.

3 Q. What do you know about the Joe Soncrant &

4 Company?

5 A. Is that another name for the Commercial Oil

6 Company?

7 Q. Is that? I don't know. Oregon, Ohio?

8 A. That's the Soncrantz that probably run

9 the Commercial Oil, and your organization

10 would know a lot more about him than me.

11 Q. Right, I've seen the list. It's everybody

12 and their brother.

13 Are you familiar with an entity called

14 Jones & Laughlin Steel?

15 A. J&L Steel, yes.

16 Q. Who hauled their waste?

17 A. Again, Community Sanitation took care of

18 them, but they closed up. In the early

19 '60's they were out of here.

20 Q. Laskey and Telegraph?

21 A. Laskey and Telegraph? A company at Laskey

22 and Telegraph?

23 Q. Does that ring any bells to you?

24 A. God, there's all kinds of companies around

1 there. I mean there's a big, what's the

2 scrap yard there, Linver, not Linver.

3 Kripke, Tuschman, Tuschman Steel,

4 Omnisource. They're just a big scrap

5 company.

6 Q. Is Laskey, the way you responded to me I

7 got the impression that you were referring

8 to like an intersection. Is Laskey and

9 Telegraph an intersection?

10 A. It's an intersection, yeah.

11 Q. It's not a company name?

12 A. No, it's two roads that connect. In fact,

13 it's three roads. Detroit Avenue is in

14 there too.

15 Q. I'm not quite sure where this came from.

16 You get a lot of chaff in with the wheat.

17 Leaseway Transportation Corporation,

18 are you familiar with that entity?

19 A. They're on Route 2 or Navarre Avenue I

20 think.

21 Q. The address I have is, oh, excuse me, it's

22 a Cleveland address. This must be the

23 corporate headquarters.

24 A. They were tankers that hauled gasoline to

1 service stations and stuff.

2 Q. Do you know if they hauled any waste

3 product?

4 A. No, I don't. I think Fondessy serviced

5 that account. That was one of their

6 accounts.

7 I hauled elephant manure from the zoo.

8 Q. You did?

9 A. Yeah, one of my accounts.

10 Q. I bet that was a fun account.

11 A. Yeah, it was.

12 Q. Well, one of the things when we first

13 started investigating these landfills

14 everybody had a story about the elephant

15 that died that got buried at the landfills.

16 A. No, I never had the chance to haul any dead

17 animals, not of that magnitude.

18 Q. Had you heard that story?

19 A. No.

20 Q. Well, apparently, I don't know whether it

21 was Stickney or Tyler, but apparently there

22 was an elephant from the zoo that was

23 buried at one of the landfills.

24 A. I wonder how they transported it there.

1 Well, anyway, I wasn't involved in that

2 endeavor, thank goodness.

3 Q. I think this is a confused name. The name

4 that I have from a witness statement was

5 Libbey Corning. Do you know of an entity

6 known as Libbey Corning?

7 A. Well, Libbey Glass.

8 Q. You say there was a Libbey Glass?

9 A. Yeah.

10 Q. Owens Corning, right?

11 A. Owens-Illinois. Owens corning has nothing

12 to do with Libbey Glass. I had to clarify

13 that.

14 Q. I know. We have.

15 Are you familiar with Libbey Glass?

16 A. Yes.

17 Q. You said that you hauled for Libbey Glass?

18 A. I hauled their corrugated from their

19 box-making process that they put their

20 glasses in. That was a big account of

21 ours. We had seven semi trailers hauling

22 nothing but brand new corrugated trimmings

23 because they had their own box shop in

24 there, until they put their own baler in.

1 The trash was handled by BFI or  
2 Community Sanitation.  
3 Q. So at the same time you were hauling the  
4 corrugated cardboard Community Sanitation  
5 was hauling other waste from them?  
6 A. Yeah, the waste stream was at the other end  
7 of the plant and then I was at, the box  
8 shop was at this side, and remember that  
9 when I bought Toledo Paper Stock that was  
10 one of their accounts.  
11 This was back in the '70's after I  
12 left Waste Management and I bought Toledo  
13 Paper Stock. One of their major accounts  
14 was Libbey Glass on their waste paper.  
15 It had nothing to do with their trash  
16 stream. I mean this was resalable paper  
17 that we baled and sold.  
18 Q. Do you know anything about the waste  
19 stream?  
20 A. From what I could see of it, again, it was  
21 just in-plant trash, dunnage. There was a  
22 certain amount of corrugated that got mixed  
23 in with it, contaminated corrugated.  
24 Q. What about did you see broken glass as part

1 of the waste stream?  
2 A. Oh, yeah, it got some of that in, but they  
3 tried to recycle most of the broken glass.  
4 They were able to run it back through their  
5 process, but there was always a certain  
6 amount got swept up and thrown in the  
7 compactor and so forth.  
8 Q. Did you ever see any trucks from Libbey  
9 Glass at Stickney, Tyler or Dura landfills?  
10 A. Yes, they had a truck that used to go over  
11 there. I don't know whether he dumped  
12 ashes or --  
13 Q. Go over to which one?  
14 A. Dura.  
15 It was a red dump truck. You know, it  
16 went, you know, daily, sometimes twice a  
17 day.  
18 Q. What did they take to Dura?  
19 A. I thought it was ashes. I'm not sure. It  
20 may have been ashes or --  
21 Q. Ashes from what?  
22 A. From the plant itself, from like the boiler  
23 or something.  
24 Q. Did you ever view the ashes? What color

1 were they?  
2 A. Gray substance came out of the truck.  
3 Q. And you saw them on almost a daily basis at  
4 the Dura landfill?  
5 A. Uh-huh.  
6 Q. Did you ever see them at Stickney or Tyler?  
7 A. No.  
8 Q. But you didn't have much occasion to see  
9 them at Stickney or Tyler?  
10 A. No, really neither.  
11 Q. So they utilized you for the recyclable  
12 paper, Community Sanitation Service for  
13 general trash and then --  
14 A. Well, by that time it was BFI. By the time  
15 I got in there it was BFI and it was in  
16 the, it was, what, '74 I think we finally  
17 agreed was when I left Waste Management.  
18 So I acquired the assets of Toledo  
19 Paper Stock during that time, as we've  
20 talked about, and that's when I was in  
21 there, and at that time it was BFI. There  
22 was no more Community Sanitation.  
23 Q. The main thing I'm trying to focus on now  
24 is they contracted with you, they

1 contracted with BFI, and they had their own  
2 trucks going to the landfill, all during  
3 the same time period?  
4 A. Yes.  
5 Q. What time period would you see them at the  
6 Dura landfill?  
7 A. Oh, you'd see them there during the day.  
8 Q. No, what years?  
9 A. Remember, when I was in the trash business,  
10 I mean even way back in the '60's, I would  
11 see them coming in to the landfill.  
12 Q. What years would you see Libbey Glass at  
13 the Dura landfill?  
14 A. Oh, '67, '68, '69.  
15 Q. Through what year?  
16 A. Well, they kept on hauling until, in fact  
17 they may even still have a truck today that  
18 they haul to a private landfill.  
19 Q. But what years, until what year did you see  
20 them at Dura?  
21 A. Until we couldn't go in to Dura anymore. I  
22 don't know exactly when that was, but  
23 whenever we were stopped. They were using  
24 it right up to the end.

1 Q. Are you familiar with an entity called  
2 Lub-X Corporation?  
3 A. No, I don't.  
4 Q. Do you have any idea if Robert Oberle is  
5 at all associated with Lub-X Corporation?  
6 A. Boy, no, I don't.  
7 Q. Are you familiar with an entity called  
8 Mather Spring?  
9 A. Mather Spring, yes.  
10 Q. What did that company do?  
11 A. Built springs for automotive companies.  
12 Q. Did they actually cast the metal?  
13 A. No, they heat treated the metal.  
14 Q. And formed, heat treated and then formed it  
15 into springs?  
16 A. Made car springs, you know, the coil car  
17 springs and stuff.  
18 Q. Are you familiar with their waste stream?  
19 A. From what I saw of it it was general  
20 in-plant trash, again broken pallets,  
21 dunnage, office waste, the things any, that  
22 would go on in a normal business. I did  
23 not see drums of material in their waste.  
24 Q. Who hauled Mather Spring?

1 A. Community Sanitation.  
2 Q. Did you ever see any trucks of Mather  
3 Spring at the Stickney, Tyler or Dura  
4 landfills?  
5 A. No.  
6 Q. Are you familiar with an entity called the  
7 Matlack Company?  
8 A. Yes, similar in nature to refiners or --  
9 Q. Leaseway?  
10 A. -- Leaseway.  
11 Q. Do you know whether they hauled any waste  
12 liquid as opposed to product?  
13 A. No. I never saw any of their trucks in the  
14 landfill. I mean I know what their, theirs  
15 are those green trucks, and I never saw any  
16 of their trucks in there.  
17 In fact their garage and so forth I  
18 think they had a container that either  
19 Fondessy or BFI picked up their trash at  
20 the garages and so forth.  
21 Q. Do you have any idea when they cleaned  
22 their tanks, do you know what they did with  
23 the residue?  
24 A. No, I don't.

<p style="text-align: center;">223</p> <p>1 Q. Are you familiar with an entity called Maumee Chemical?</p> <p>2 A. Yes, that name sounds familiar.</p> <p>3 Q. I think they're related to Sherwin Williams?</p> <p>4 A. Okay, but where were they, what was their address?</p> <p>5 Q. I'm sorry, I don't have an address.</p> <p>6 A. I'm trying to locate it in my head in town here where they were at. I'm trying to think, were they out on, maybe they were out on Matzinger Road.</p> <p>7 But in any event I don't know the nature of their, and I don't think they even owned a truck to go to the landfill with. So I never saw any truck that was marked that.</p> <p>8 Q. Mercy Hospital, who handled their waste disposal?</p> <p>9 A. Mercy's downtown. That's --</p> <p>10 Q. 2200 Jefferson?</p> <p>11 A. That's Community Sanitation or BFI.</p> <p>12 Q. Mulberry Phosphates, Inc.?</p> <p>13 A. Don't know them.</p>	<p style="text-align: center;">226</p> <p>1 handled their own waste. They bring in dumps in their own dump trucks.</p> <p>2 Q. Were you, what years was it that they were constructing I-475? Do you remember?</p> <p>3 A. '67.</p> <p>4 Q. Did they have to, do you know what happened to the material that they had to dig out to construct the highway?</p> <p>5 A. No, I don't. You mean along where Jeep is and those areas in there?</p> <p>6 Q. Yes.</p> <p>7 A. I was always curious where that stuff went too.</p> <p>8 Q. So you have no knowledge of that?</p> <p>9 A. No.</p> <p>10 Q. Oxford Paints, are you familiar with that entity?</p> <p>11 A. Oxford Paints?</p> <p>12 Q. Oxford Paints.</p> <p>13 A. No.</p> <p>14 Q. Owens-Illinois, are you familiar with that?</p> <p>15 A. Well, Owens-Illinois, which, the corporate office?</p> <p>16 Q. They're now at One SeaGate.</p>
<p style="text-align: center;">224</p> <p>1 Q. Nabisco?</p> <p>2 A. Nabisco I'm familiar with. Cousins' had that.</p> <p>3 Q. Would they have anything other than solid waste?</p> <p>4 A. No, it was grain, junk like that. They made --</p> <p>5 Q. Was, what, green?</p> <p>6 A. Grain.</p> <p>7 Q. Grain, oh, okay.</p> <p>8 A. Because they make flour. It's a flour mill, you know, for your crackers and stuff.</p> <p>9 Q. They make cookies in my neighborhood.</p> <p>10 A. Well, this is the flour to make the cookies.</p> <p>11 Q. Well, maybe they shipped it to Chicago.</p> <p>12 A. Yeah, betcha they did.</p> <p>13 Q. I can't think of anything that they would have done that would have caused any industrial type waste, can you?</p> <p>14 A. No.</p> <p>15 Q. National Laboratories, are you familiar with that?</p>	<p style="text-align: center;">227</p> <p>1 A. No, that was just a corporate office building. They do have an industrial park out in Wood County that they have several plants at. All those plants were always serviced by Community Sanitation or BFI.</p> <p>2 Q. Do you have any idea where their waste was disposed of?</p> <p>3 A. Well, I'm sure some of it ended up at the Dura landfill if it was with Community Sanitation.</p> <p>4 Q. But you don't really know?</p> <p>5 A. No.</p> <p>6 Q. Did you ever see any Owens-Illinois trucks in the Stickney, Tyler or Dura landfills?</p> <p>7 A. No. No, I didn't.</p> <p>8 Q. Are you familiar with Parkview Hospital?</p> <p>9 A. Parkview?</p> <p>10 Q. Yes.</p> <p>11 A. Yes.</p> <p>12 Q. Do you know who serviced their waste disposal?</p> <p>13 A. That was Community Sanitation and BFI.</p> <p>14 Q. Peerless Motor Plastics?</p> <p>15 A. I know the name. I don't know the</p>
<p style="text-align: center;">225</p> <p>1 A. They became Lehn &amp; Fink.</p> <p>2 Q. Excuse me?</p> <p>3 A. They later became Lehn &amp; Fink. I don't know if you've got anything in your book on Lehn &amp; Fink. They were in the -- they made floor waxes and stuff, soaps and floor waxes.</p> <p>4 Q. Are you familiar with who handled their waste?</p> <p>5 A. Again, BFI, Community Sanitation.</p> <p>6 Q. Did you ever see any trucks from National Laboratories at the Stickney, Tyler or Dura landfills?</p> <p>7 A. No, I did not.</p> <p>8 Q. New Mather Metals, are you familiar with them?</p> <p>9 A. No. I think they may have been a small offshoot of that Mather Spring. It may have been just next door.</p> <p>10 Q. I just have zip code for them.</p> <p>11 Ohio Department Of Transportation, are you familiar with who would have handled their waste stream?</p> <p>12 A. Back then they did it all theiirself. They</p>	<p style="text-align: center;">228</p> <p>1 consistency of their trash.</p> <p>2 Q. Pinkerton Tobacco Company?</p> <p>3 A. Yes, I am familiar with that one, and I did have that account.</p> <p>4 Q. What years did you have that account?</p> <p>5 A. '64 till '69.</p> <p>6 Q. What was their waste stream?</p> <p>7 A. They manufactured Mail Pouch Tobacco and so forth in the little things.</p> <p>8 Q. Oh, right, chewing tobacco.</p> <p>9 A. Oh, it was terrible, and we had dumpsters inside their plant and they would come out with the stuff in them and the packages and the old tobacco and stuff like that. It was --</p> <p>10 Q. Lovely.</p> <p>11 A. It was.</p> <p>12 Q. Did they have anything in their waste stream other than tobacco?</p> <p>13 A. No. They had a daily pickup because of their manufacturing process, but I think they ended their operation in late '69, just pulled up shop and quit. The Surgeon General came out that it wasn't good for</p>



1 you.  
2 Q. Well, that didn't stop a lot of people.  
3 A. That's true.  
4 Q. So nothing other than tobacco?  
5 A. No, it was just tobacco and, you know, foil  
6 packages and stuff.  
7 Q. And did you ever see any of their trucks at  
8 Stickney, Tyler or Dura landfills?  
9 A. No.  
10 Q. Plabell Rubber Products, are you familiar  
11 with that entity?  
12 A. I am familiar with that.  
13 Q. Do you pick that up through Tidy  
14 Disposable?  
15 A. Yeah, but that was in the '80's. I know  
16 the consistency of their --  
17 Q. So did you service them prior to the '80's?  
18 A. No, I did not.  
19 Q. Do you know who did?  
20 A. Yes, Community Sanitation.  
21 Q. Do you have any familiarity with the  
22 character of their waste?  
23 A. They made rubber bushings, black rubber  
24 bushings for cars, and that was the scrap

1 from the cuttings and stuff from that  
2 rubber.  
3 Q. Did they cure the rubber themselves?  
4 A. Yes.  
5 Q. Do you know if they ever disposed of any  
6 partially cured rubber at either the  
7 Stickney, Tyler or Dura landfills?  
8 A. No, I don't.  
9 Q. You have no way of knowing?  
10 A. When you say, you know, I guess I answered  
11 real quick there about curing rubber. Not  
12 being an engineer, what do you mean by  
13 curing rubber?  
14 Q. Well, I'm not a rubber engineer either, but  
15 there's the vulcanization process and  
16 sometimes, it's my understanding that  
17 sometimes that process doesn't work right  
18 and you end up with something that's kind  
19 of prerubber and some of the substances  
20 that are used in making rubber could leach  
21 from that.  
22 A. Oh, well, the only stuff -- well, maybe  
23 they didn't do that type of work. Maybe  
24 they just heated rubber matting and made

1 these things, because everything I saw was  
2 always of a black nature. There was never  
3 any wads of material or anything. It was  
4 like trim stock and so forth.  
5 Q. Did they use any dye in their process?  
6 A. No, it was all black.  
7 Q. Did you ever see any trucks from Plabell  
8 Rubber at the Stickney, Tyler or Dura  
9 landfills?  
10 A. Yes, I did. I saw them dumping some  
11 material from time to time at the Dura  
12 landfill.  
13 Q. What did they dump?  
14 A. Just barrels on the truck. It looked like  
15 in-plant trash or something. I didn't  
16 really view exactly what it was.  
17 Q. Was it liquid in the barrels?  
18 A. No, it didn't look like it was liquid. It  
19 looked more like, you know, ground rubber  
20 and stuff like that.  
21 Q. Was it sludge?  
22 A. No, it wasn't sludgy in nature. It was  
23 more like --  
24 Q. How do you know that it was Plabell Rubber

1 trucks?  
2 A. Because it said so on the door.  
3 Q. Do you remember what the trucks looked  
4 like?  
5 A. It was a small stake type truck.  
6 Q. Stake bed truck?  
7 A. Yeah.  
8 Q. Do you remember what color the truck was?  
9 A. I believe it was red.  
10 Q. And you said it said Plabell Rubber on it?  
11 A. Right.  
12 Q. And how often did you see it?  
13 A. I only saw it once that I can remember.  
14 Q. Once the entire time?  
15 A. Yeah.  
16 Q. And it was at the Dura landfill?  
17 A. Right, because it was right next to my  
18 truck.  
19 Q. And you never saw them at the Stickney or  
20 Tyler landfills?  
21 A. No.  
22 Q. Plaskon Electronic Materials, are you  
23 familiar with that entity?  
24 A. That's Allied Chemical, same thing.

1 Plaskon became Allied.  
2 Q. Is that true?  
3 A. Uh-huh.  
4 Q. I've got some notes here. It's hard to  
5 keep all these guys straight.  
6 Refiners Transport, that's the same as  
7 Leaseway, is it not?  
8 A. Yes, that's correct.  
9 Q. Reichert Stamping Company, are you familiar  
10 with that entity?  
11 A. Uh-huh. Yes, I am.  
12 Q. Who handled the waste disposal for  
13 Reichert?  
14 A. Community Sanitation.  
15 Q. Did you ever see any trucks from Reichert  
16 Stamping Company at the Stickney, Tyler or  
17 Dura landfills?  
18 A. No, I did not.  
19 Q. Is Reichert Manufacturing the same as  
20 Reichert Stamping?  
21 A. Yes. No, there is a Reichert -- well, wait  
22 a minute.  
23 There is a Reichert. It's one in the  
24 same. They moved and changed their name.

1 Q. Riverside Hospital, are you familiar with  
2 that entity?  
3 A. Yes.  
4 Q. Who handled their waste disposal?  
5 A. Again, that was Community Sanitation, BFI.  
6 Q. Do you know whether they had an  
7 incinerator?  
8 A. Yes, they do.  
9 Q. Did they during the '60's or late '55 to  
10 '70 did they have an incinerator?  
11 A. Yes.  
12 Q. Do you know what they put in their  
13 incinerator?  
14 A. No, I don't know. I know that there were  
15 small dumpsters sitting around the  
16 incinerator that a regular garbage truck  
17 would pick up.  
18 Q. Royster Company, are you familiar with that  
19 entity?  
20 A. The fertilizer company. Hell, they're  
21 right on top of the Tyler dump, what's left  
22 of them. It's burned to the ground.  
23 Q. Yes, the company's gone belly up too.  
24 Are you familiar with who handled the

1 waste disposal for Royster?  
 2 A. No, I'm not. I assume, they were so close  
 3 to it, they may have done it themselves, but  
 4 I can't verify that.  
 5 Q. You never saw them dump in the Tyler dump?  
 6 A. No, I didn't.  
 7 Q. Are you familiar with an entity called  
 8 Rudolph-Libbe, Inc.?  
 9 A. General contractors.  
 10 Q. Would they have had any waste other than  
 11 construction waste?  
 12 A. No.  
 13 Q. Do you know who handled their waste?  
 14 A. The bulk of their waste was always handled  
 15 by BFI.  
 16 Q. Or Community Sanitation?  
 17 A. Or Community Sanitation, correct.  
 18 Q. Did you ever see any trucks from  
 19 Rudolph-Libbe in the Stickney, Tyler or  
 20 Dura landfills?  
 21 A. Not that I can remember, no.  
 22 Q. Why don't we, you let me know if you've  
 23 seen any trucks from these entities at  
 24 Stickney, Tyler or Dura.

1 A. Sure.  
 2 Q. And if they're hauled by other than  
 3 Community Sanitation Service let me know  
 4 that too.  
 5 A. Correct.  
 6 Q. St. Charles Hospital?  
 7 A. St. Charles Hospital, okay, that was  
 8 Community Sanitation.  
 9 Q. St. Luke Hospital?  
 10 A. They were downtown on Robinwood. I don't  
 11 know who had them when they were downtown  
 12 here in Toledo.  
 13 Q. St. Vincent Medical Center on Cherry  
 14 Street?  
 15 A. I mean back then Community Sanitation had  
 16 all the hospitals.  
 17 Q. Sears Roebuck, I assume they would have had  
 18 an automobile servicing facility here?  
 19 A. Again, that was BFI, Community Sanitation  
 20 at all the Sears stores.  
 21 Q. And you never saw any Sears stores at  
 22 Stickney, Tyler or Dura?  
 23 A. No. I saw one of their tire trucks in  
 24 there once dumping scrap tires off.

1 Q. And that was at Dura?  
 2 A. Yeah.  
 3 Q. Sharon Manufacturing?  
 4 A. That's up in Michigan. I don't know who  
 5 handled that account or I never saw any of  
 6 their trucks in the landfill.  
 7 When I say up in Michigan, we're so  
 8 close to the Michigan line here that you  
 9 could throw a stone over it.  
 10 Q. I went to law school in Ann Arbor.  
 11 A. Oh, well, then you know.  
 12 Q. Do you know if they would have dumped at  
 13 the Stevens landfill in Michigan?  
 14 A. Could very well have.  
 15 Q. You didn't know anything about the Sherwin  
 16 Williams Company?  
 17 A. No.  
 18 Q. On 1255 Osage is the --  
 19 A. On what street is it?  
 20 Q. 1255 Osage in Maumee.  
 21 A. Boy, where would that -- I lived in Maumee  
 22 for twenty-one years. I can't recall the  
 23 thing.  
 24 Q. Sinclair Manufacturing Associates?

1 A. Dial Soap, Detroit Avenue, that was another  
 2 account of Community Sanitation, BFI.  
 3 They're not here anymore. They moved.  
 4 Q. Did you see their trucks?  
 5 A. They made bleach too I think.  
 6 No, I don't recall seeing their  
 7 trucks. Of course, they could be using  
 8 unmarked trucks. I don't know, you know.  
 9 Q. Oh, I know, it's getting late in the day.  
 10 Smith Provision?  
 11 A. Smith Provision? Yeah, they were a meat  
 12 processor on Matzinger Road right next to  
 13 City Auto Stamping, across from AP Parts.  
 14 Did I see their trucks in the  
 15 landfill? No.  
 16 Q. I'm not sure I really care if they were a  
 17 meat processor.  
 18 Sun Oil, Sun Refining & Marketing, is  
 19 that the same as Sun Oil?  
 20 A. Sun Oil, same thing.  
 21 Q. Surface Combustion, Inc.?  
 22 A. Yes.  
 23 Q. What do you know about them?  
 24 A. They made furnaces, incinerators and stuff.

1 Q. Who handled their waste?  
 2 A. BFI or Community Sanitation. I think I had  
 3 it for a short period of time.  
 4 Q. When did you have it?  
 5 A. Late '69, '70.  
 6 Q. What did their waste consist of?  
 7 A. Again, it was fabrication dunnage, welding  
 8 boxes, just general in-plant trash.  
 9 Q. Did they have any metal shavings?  
 10 A. No.  
 11 Q. They didn't have any slag?  
 12 A. If they did they had a scrap, you know, big  
 13 scrap boxes there that they handled all  
 14 their scrap in. I mean we basically had a  
 15 compactor there and just hauled their  
 16 in-plant trash.  
 17 Q. Who would have handled their scrap?  
 18 A. Either, probably at that time it was Harry  
 19 Linver & Company, which later became  
 20 Omnisource.  
 21 Q. That's a new one, okay.  
 22 Tecumseh Products?  
 23 A. Which would be the same as Acklin Stamping.  
 24 Q. Okay, that's right.

1 A. Boy, she's trying to catch me on these  
 2 trick questions here. I know that --  
 3 Okay, we've done Teledyne and Textileather?  
 4 A. Yes.  
 5 Q. Tillotston Carburetor?  
 6 A. That was, later became Bendix. That was  
 7 Bendix, the Bendix that we were talking  
 8 about way back when. That Bendix and  
 9 Tillotston is one in the same.  
 10 They also bought Toledo Stamping too  
 11 and then later became Signal, but  
 12 Tillotston moved out of town way back in  
 13 the '60's. They just ceased --  
 14 Q. How way back?  
 15 A. '65, '66, and Community Sanitation --  
 16 Q. Well, this landfill started to operate I  
 17 think in the mid '50's.  
 18 A. Yeah, I say at that time I believe  
 19 Community Sanitation serviced that account.  
 20 Q. Did they have any of their own trucks?  
 21 A. None that I'm aware. They may have had  
 22 them, but none that I ever saw in the  
 23 landfill.  
 24 Q. Toledo Blade, are you familiar with any

<p style="text-align: center;">241</p> <p>1 disposal of waste ink from the Toledo Blade?</p> <p>2</p> <p>3 A. No, I never was involved in disposing of any waste ink there. I don't know who actually would handle that either.</p> <p>4</p> <p>5 Q. Did you ever see any Toledo Blade trucks in the Stickney, Tyler or Dura landfills?</p> <p>6</p> <p>7 A. No.</p> <p>8</p> <p>9 Q. Did you ever see the City of Toledo dispose of anything other than municipal waste?</p> <p>10</p> <p>11 A. Well, sludges.</p> <p>12</p> <p>13 Q. Sewer sludge?</p> <p>14</p> <p>15 A. Uh-huh.</p> <p>16</p> <p>17 Q. Any other types of waste, waste oil, paint waste, possibly from some kind of city operations?</p> <p>18</p> <p>19 A. Nothing that dramatic. I mean I saw them come in with waste tires on a city truck and dump truck tires and things like that, but I never visualized barrels of waste oil being dumped in the landfill. I did not see that.</p> <p>20</p> <p>21 Q. Toledo Edison, did you ever see them dispose of transformers?</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: center;">244</p> <p>1 time. They were out of there.</p> <p>2 Q. Do you know what year they went out of here?</p> <p>3</p> <p>4 A. Early '60's.</p> <p>5</p> <p>6 Q. U.S. Reduction Company?</p> <p>7</p> <p>8 A. Okay, that was an aluminum processor. They had like aluminum dust left over from that.</p> <p>9</p> <p>10 And, let's see, who handled that.</p> <p>11</p> <p>12 There was some guy had a bunch of dump trucks, he handled it for a while.</p> <p>13</p> <p>14 Cousins' handled it. When we acquired Cousins' we got the account for a while.</p> <p>15</p> <p>16 That material was, golly, I don't remember where that was even taken, Hagman Road I believe, because back then I think that was the only thing that was available to us.</p> <p>17</p> <p>18 Q. Do you know whether any of this aluminum waste was disposed of at either Stickney, Tyler or Dura?</p> <p>19</p> <p>20 A. No, I'm positive that wasn't, and I know that Cousins' had been disposing of it at this Treasure Island, the one owned by Cal Lieberman, had been disposing of it there,</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: center;">242</p> <p>1 A. No. Most of the transformers went to this Edelstein place. They used to deliver them there because Toledo Paper Stock was right across the street.</p> <p>2</p> <p>3 Q. Did they use a dump called Consaul?</p> <p>4</p> <p>5 A. Consaul Street? That's Consaul.</p> <p>6</p> <p>7 Q. I guess, s-a-u-l?</p> <p>8</p> <p>9 A. C-o-n-s-a, but it's Consaul Street.</p> <p>10</p> <p>11 Q. I've heard it pronounced Consaul.</p> <p>12</p> <p>13 A. That was closed up a real, real long time ago.</p> <p>14</p> <p>15 Q. Do you know when?</p> <p>16</p> <p>17 A. It had to be the late '50's that was closed.</p> <p>18</p> <p>19 Q. Do you know whether Toledo Edison disposed of any waste there?</p> <p>20</p> <p>21 A. I have no idea. That was --</p> <p>22</p> <p>23 Q. What year did you, you started in the early '60's?</p> <p>24</p> <p>1 A. Yeah.</p> <p>2</p> <p>3 Q. What about the Wheeling dump? Did Toledo Edison dispose of anything at Wheeling?</p> <p>4</p> <p>5 A. Wheeling? Wheeling and Consaul, it's the same one.</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: center;">245</p> <p>1 and then we started hauling it to either the Gradel site or over to Hagman Road, whichever one was available to us. By that time we were barred out of those city sites anyway.</p> <p>2</p> <p>3 Q. Yes, that was, what, '72?</p> <p>4</p> <p>5 A. '72.</p> <p>6</p> <p>7 Q. United Technologies Automotive?</p> <p>8</p> <p>9 A. Golly, I don't know. Any address on them? It doesn't sound familiar.</p> <p>10</p> <p>11 Q. I just have a Detroit address I would assume is the corporate headquarters.</p> <p>12</p> <p>13 A. Might have been a stamping company that's went out of business.</p> <p>14</p> <p>15 Q. University Of Toledo?</p> <p>16</p> <p>17 A. That was an account of Community Sanitation.</p> <p>18</p> <p>19 Q. Did you ever see any trucks from the University at either the Stickney, Tyler or Dura landfills?</p> <p>20</p> <p>21 A. No.</p> <p>22</p> <p>23 Q. Do you know anything about Vallet Paint Service Company?</p> <p>24</p> <p>1 A. Yeah, they're a small automotive paint</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: center;">243</p> <p>1 Q. It's the same thing?</p> <p>2</p> <p>3 A. Same thing. They come, there's a corner right there called Wheeling and Consaul.</p> <p>4</p> <p>5 Q. It's another intersection?</p> <p>6</p> <p>7 A. Yep.</p> <p>8</p> <p>9 Q. Feel like I should have the entire Toledo industry index --</p> <p>10</p> <p>11 A. Right, you will have before it's done.</p> <p>12</p> <p>13 Q. -- index like engraved on my brain or something.</p> <p>14</p> <p>15 Toledo Hospital, also Community Sanitation Services?</p> <p>16</p> <p>17 A. Correct.</p> <p>18</p> <p>19 Q. Do you know anything about an entity called Toledo Industrial Disposal?</p> <p>20</p> <p>21 A. That's me, Tidy.</p> <p>22</p> <p>23 Q. That's Tidy?</p> <p>24</p> <p>1 A. T-i-d, I added a Y to it. That's me.</p> <p>2</p> <p>3 Q. All right, and that entity was in the 1980's?</p> <p>4</p> <p>5 A. Yes.</p> <p>6</p> <p>7 Q. Toledo Scale, anybody handle that other than Community?</p> <p>8</p> <p>9 A. No. I didn't. That was way before my</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: center;">246</p> <p>1 supplier where body shops go and get their paints. It's not a very big place. It's on, right across from Mercy Hospital.</p> <p>2</p> <p>3 Q. Do you know what they might have done with off-spec paint?</p> <p>4</p> <p>5 A. I have no idea. I believe that Community Sanitation or BFI picks up the account.</p> <p>6</p> <p>7 Q. Did it pick up the account during the relevant time period, 1955 to 1970?</p> <p>8</p> <p>9 A. Yes, it did.</p> <p>10</p> <p>11 Q. Did you ever see any Vallet Paint trucks at the Stickney, Tyler or Dura landfills?</p> <p>12</p> <p>13 A. No, I did not.</p> <p>14</p> <p>15 Q. Wallbro Corporation or Wallbro Automotive?</p> <p>16</p> <p>17 A. Don't know the name.</p> <p>18</p> <p>19 Q. Willys-Overland Jeep was way before your time, right?</p> <p>20</p> <p>21 A. No, I handled Jeep, Jeep Corporation.</p> <p>22</p> <p>23 Q. Was it Willys-Overland at the time? I thought I had already --</p> <p>24</p> <p>1 A. Well, probably.</p> <p>2</p> <p>3 Q. It was either Jeep or Jeep/Eagle by that time?</p> <p>4</p> <p>5 A. Yeah, it changed to the Jeep Corporation.</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

247		250	
1	Like I said, Willys-Overland, I always,	1	A. No, nothing more.
2	everybody in Toledo thinks of it as Jeep.	2	Q. Mr. Benton, can you locate the Hagman Road
3	Q. Yankin Majestic Paint Corp.?	3	landfill? This would be No. 2.
4	A. That's another small, like Vallet Paint.	4	Here?
5	Q. Do you know who might have handled their	5	A. Yes. It's in Michigan, just over the state
6	off-spec paints?	6	line.
7	A. Golly, no, I don't, because some of these	7	Q. And this was the landfill that was
8	didn't manufacture paints. They were	8	developed by BFI?
9	simply just suppliers or jobbers.	9	A. Community Sanitation and BFI, right.
10	Q. Let's locate some landfills on the map.	10	Q. Community Sanitation had it first?
11	A. Okay, sure can.	11	A. They developed it first.
12	Q. Could you locate the King Road landfill for	12	Q. What years was the Hagman Road landfill,
13	me, and we'll call that No. 1?	13	did it operate?
14	A. Right here.	14	A. It opened in '65 I believe.
15	Q. Let the record indicate that this is at	15	Q. Is it still operating currently?
16	the, where, where are we here?	16	A. Yes.
17	A. You're at --	17	Q. Did you ever dump at the Hagman?
18	Q. The corner of --	18	A. Yes, I did.
19	A. King, well, here's King and Central.	19	Q. And what year did you start dumping there?
20	Q. King and Central?	20	A. We started dumping shortly there after they
21	A. And then this is Sylvania Avenue. So it's	21	opened up.
22	between Sylvania Avenue and Central Avenue	22	Q. Do you remember what the charge was for
23	on King Road, a big area in there.	23	dumping at the Hagman Road landfill?
24	Q. Right there?	24	A. 50 cents a cubic yard.
248		251	
1	A. Uh-huh.	1	Q. And what would that rate have been say in
2	Q. Now, what years was that landfill in	2	1970, if you can remember?
3	operation?	3	A. In 1970?
4	A. '55 and --	4	Q. Yes.
5	Q. Somewhere between 1950 and '55?	5	A. I'm thinking it was 75 cents a yard.
6	A. No, it was open in 1955.	6	Q. I couldn't remember if this was the one we
7	Q. Right.	7	had talked about or not.
8	A. And it ran until I'm going to say 1980.	8	A. King Road, you were asking about their
9	Q. Are you aware of any liquid waste disposal	9	rates.
10	at the King Road landfill?	10	Q. So the rates at King Road were similar to
11	A. I saw, you know, a lot of it being brought	11	the rates at Hagman Road?
12	into there, but I don't know, you know, I	12	A. Comparable.
13	don't have a recollection of who brought it	13	Q. In general were the privately owned
14	in, but I used to see barrels and stuff out	14	landfills were the tipping fees similar at
15	there, especially when that Park Forest	15	each of the landfills?
16	Development was running the place.	16	A. Those are the only two landfills that were
17	Q. You don't know who was bringing in the	17	open to the public. Fondessy's basically
18	liquid waste?	18	was pretty limited. Then like the Grade I
19	A. No, not at that time.	19	site came on there after and his rates were
20	Q. And do you know what were the major	20	similar too, which if you want to indicate
21	companies that disposed or had waste	21	where their landfill is.
22	disposed of at King Road, to the best of	22	Q. We will in a minute.
23	your knowledge?	23	A. Okay.
24	A. Well, it was all the peripheral, you know,	24	Q. 3 will be Stickney.
249		252	
1	industrial and a lot of industrial accounts	1	A. The Stickney landfill?
2	that couldn't use the various landfills in	2	Q. You should be able to locate that one.
3	the city and then all this unincorporated	3	A. Right here.
4	area outside the city limits used that. So	4	Here's your Dura site here.
5	if there were companies out here they had	5	Q. Dura's on the river too, isn't it?
6	to use that King Road facility.	6	A. Here's Dura right here, all of this. See
7	Q. Do you remember any in particular?	7	this here? This is all Dura.
8	A. Shemenour Manufacturing would have to use	8	See this side of, this all comes down
9	the King Road facility for one.	9	here. You've got to go down Dura Avenue,
10	Q. Anything else?	10	or you used to, you can't anymore, to get
11	Was Owens-Illinois in Sylvania?	11	to the landfill, but this is all Dura in
12	A. No, Perrysburg. They're way out. Their	12	here.
13	industrial park is right out in here.	13	Q. And Tyler is right across the river?
14	Q. Let the record reflect that the witness is	14	A. Yeah, right in here someplace.
15	pointing to an area --	15	Q. The Stickney landfill is denominated on the
16	A. Off of Route 25, if we can find Route 25.	16	map as No. 3, Dura No. 4 and Tyler at No.
17	Right here. It's in this area right here.	17	5?
18	Q. Route 25 and Louis Parkway?	18	A. Right.
19	A. Levis Parkway.	19	Q. Can you locate the Consaul/Wheeling site
20	Q. Levis?	20	for me?
21	A. Levis.	21	A. Right here.
22	Q. Is there anything else that you can tell me	22	Q. And we are at Consaul and Wheeling. That
23	other than what you've already said about	23	was the intersection, okay.
24	the King Road landfill?	24	Mr. Benton, when did the

<p style="text-align: center;">253</p> <p>1 Consaul/Wheeling site open up?</p> <p>2 A. Oh, I have no idea. That was probably in</p> <p>3 the '40's.</p> <p>4 Q. And do you have any idea when it closed?</p> <p>5 A. Early on, sometime in the '50's they had to</p> <p>6 close, maybe early '60's.</p> <p>7 Q. Early '50's?</p> <p>8 A. Early '60's.</p> <p>9 Q. Early '60's?</p> <p>10 A. Have to be, because I never used that site.</p> <p>11 Q. Early '50's or early '60's?</p> <p>12 A. No, late '50's, early '60's, I'm sorry.</p> <p>13 Q. Late '50's or early '60's, okay.</p> <p>14 Do you have any idea who might have</p> <p>15 used the Consaul/Wheeling site?</p> <p>16 A. Primarily the City of Toledo. Whoever else</p> <p>17 --</p> <p>18 Q. It was a city dump?</p> <p>19 A. It was a city dump for the east side of</p> <p>20 Toledo.</p> <p>21 Q. Do you know of any industrial disposal at</p> <p>22 the Consaul/Wheeling facility?</p> <p>23 A. Like I said, I never used that facility.</p> <p>24 It wasn't my side of town. I was way out</p>	<p style="text-align: center;">256</p> <p>1 Q. Do you know who, other than the</p> <p>2 construction debris and the disposal of the</p> <p>3 aluminum, may have dumped at the Treasure</p> <p>4 Island facility?</p> <p>5 A. No. It was more demolition than anything,</p> <p>6 because he couldn't take solid waste. He</p> <p>7 wasn't licensed for garbage.</p> <p>8 Q. Are you familiar with a facility called</p> <p>9 Duck Creek?</p> <p>10 A. No.</p> <p>11 Q. Are you familiar with a facility called</p> <p>12 Swan Creek?</p> <p>13 A. No, I'm not.</p> <p>14 Q. Are you familiar --</p> <p>15 A. I know the creeks, but I don't know the</p> <p>16 facilities.</p> <p>17 Q. Okay, but you've never heard of dumps with</p> <p>18 those names?</p> <p>19 A. No.</p> <p>20 Q. Can you locate the facility on Otter Creek</p> <p>21 Road?</p> <p>22 A. Now, there are three of them.</p> <p>23 Q. Okay, tell me what there is on Otter Creek</p> <p>24 Road.</p>
<p style="text-align: center;">254</p> <p>1 here in this area and that's over here.</p> <p>2 Q. Do you know whether Community Sanitation</p> <p>3 Service used that dump?</p> <p>4 A. No, I don't know if they used it or not.</p> <p>5 Q. So basically you have very little</p> <p>6 knowledge?</p> <p>7 A. No knowledge of that landfill.</p> <p>8 Q. Let's see --</p> <p>9 A. And there was a Western Avenue landfill</p> <p>10 here too. I don't see that mentioned</p> <p>11 anywhere.</p> <p>12 Q. Well, okay, I'll put that on the list. I</p> <p>13 have lots of landfills on here --</p> <p>14 Manhattan?</p> <p>15 A. Well, that's the Treasure Island.</p> <p>16 Q. Oh, that's Treasure Island?</p> <p>17 A. Yeah, one in the same. That was a</p> <p>18 demolition dump.</p> <p>19 Q. Anything other than demolition debris</p> <p>20 disposed of at that landfill?</p> <p>21 A. Yeah, there was, they had aluminum oxide</p> <p>22 dust from --</p> <p>23 Q. Okay, from --</p> <p>24 A. I can't think of the name of the company</p>	<p style="text-align: center;">257</p> <p>1 A. Actually there's four.</p> <p>2 Q. Go ahead.</p> <p>3 A. At the corner of Millard and Otter Creek.</p> <p>4 Q. Yes.</p> <p>5 A. On the east side of Otter Creek you have</p> <p>6 the Fondessy disposal site.</p> <p>7 Q. Could you locate the Fondessy site?</p> <p>8 A. Yes, and right next to that on the east</p> <p>9 side towards the north, on the north side</p> <p>10 of the Fondessy side, is the Gradel west</p> <p>11 over No. 1 site.</p> <p>12 Q. How do you spell Gradel?</p> <p>13 A. G-r-a-d-e-l.</p> <p>14 Q. Seems like I hear a T every time you say</p> <p>15 that, that's why.</p> <p>16 A. You're thinking of Hansel and Gretel.</p> <p>17 Q. No, I'm not.</p> <p>18 Could you, let's do, call the Fondessy</p> <p>19 disposal site No. 8.</p> <p>20 A. Okay, here we are. Here is Fondessy, right</p> <p>21 here, and I'll call them by their site.</p> <p>22 Q. And when did that facility open?</p> <p>23 A. The Fondessy site?</p> <p>24 Q. Yes.</p>
<p style="text-align: center;">255</p> <p>1 again, some kind of --</p> <p>2 Q. Could you locate the Treasure Island</p> <p>3 facility on the map?</p> <p>4 A. Right there where it says 12.</p> <p>5 Q. This is at I-75 --</p> <p>6 A. 280.</p> <p>7 Q. -- and 280, and on Manhattan Boulevard,</p> <p>8 okay.</p> <p>9 What year did this dump open up to the</p> <p>10 best of your knowledge?</p> <p>11 A. Had to be opened in the late '50's and</p> <p>12 closed in the '60's.</p> <p>13 Q. Do you have an approximate idea of when in</p> <p>14 the '60's?</p> <p>15 A. '68, '69.</p> <p>16 Q. Now, who owned this facility?</p> <p>17 A. This was Cal Lieberman at Municipal</p> <p>18 Technologies or whatever it was.</p> <p>19 Q. Oh, right, okay, and did you ever dump at</p> <p>20 the Treasure Island facility?</p> <p>21 A. No.</p> <p>22 Q. Do you know what the tipping fee was at the</p> <p>23 Treasure Island facility?</p> <p>24 A. No, I do not know.</p>	<p style="text-align: center;">258</p> <p>1 A. I would say '54 or '55.</p> <p>2 Q. And is it still open?</p> <p>3 A. It's only a hazardous waste site right now,</p> <p>4 called Envirosafe.</p> <p>5 Q. But it is a hazardous waste disposal site?</p> <p>6 A. Hazardous waste.</p> <p>7 Q. Now, to the best of your knowledge the</p> <p>8 Fondessys are pretty much the only people</p> <p>9 that dumped in there?</p> <p>10 A. Well, they had a contract with the</p> <p>11 residents for the City of Oregon to use</p> <p>12 their facility and Standard Oil used it,</p> <p>13 or, yeah, Standard Oil dumped in there, in</p> <p>14 their site, and I'm sure Sun Oil did too,</p> <p>15 and probably Gulf and Pure and the rest</p> <p>16 of them.</p> <p>17 Q. They're dumping used oil?</p> <p>18 A. No, just, you know, their trash from their</p> <p>19 refineries and so forth. Now, I don't know</p> <p>20 even if they had lagoons there so, you</p> <p>21 know, where that oil came from I don't</p> <p>22 know, but they had lagoons just like</p> <p>23 Soncrant has still got them over there</p> <p>24 at his place.</p>

1 Q. They had oil lagoons there?  
 2 A. Oil lagoons, but those were done away with  
 3 in the early '70's.  
 4 Q. Maybe about 1980?  
 5 A. Whenever. Maybe that's when. Anyway, they  
 6 were done away with. He didn't have --  
 7 Q. I'm just asking if there was because there  
 8 was of course the RICA statute kicked  
 9 in 1980?  
 10 A. Yeah, whenever the RICA or whatever it  
 11 was went into is when they ceased using the  
 12 ponds.  
 13 Q. To the best of your knowledge not until the  
 14 RICA statute came into being?  
 15 A. Correct.  
 16 Q. Can you, do you know of any other people,  
 17 other than the ones that you've named, that  
 18 disposed at the Fondessy disposal site?  
 19 A. No.  
 20 Q. Can you locate the Gradel site on the map,  
 21 No. 9?  
 22 A. Let's see, Fondessy had a site on this side  
 23 too, right over here in this area here.  
 24 There's a landfill in here too with their

1 material.  
 2 This is the Gradel site. This is a  
 3 Gradel site on this side too. They had two  
 4 sites. They filled this one up and then  
 5 they moved here and filled another one up.  
 6 When Fondessy filled this one up --  
 7 Q. Well, let's talk about the Gradel site that  
 8 is north of the Fondessy location at  
 9 Millard and Otter Creek.  
 10 A. Okay.  
 11 Q. When did the Gradel site north of Fondessy  
 12 begin?  
 13 A. '68.  
 14 Q. 1968?  
 15 A. Uh-huh.  
 16 Q. And when was it filled up?  
 17 A. '72, '73.  
 18 Q. And who disposed of waste at that site?  
 19 A. My company did, solid waste at his  
 20 facility.  
 21 He got a contract. I think he took  
 22 the contract from Fondessy for the City of  
 23 Oregon to have the people dump in his site  
 24 too.

1 Q. Do you know of any industrial waste  
 2 disposal at the Gradel site?  
 3 A. No. Fondessy kept the standard people and  
 4 so forth coming in to his place. So there  
 5 were no standard trucks going in there. I  
 6 was supplying quite a bit of material in to  
 7 his site.  
 8 Q. In to the Gradel site?  
 9 A. Gradel site, right.  
 10 Q. What was the tipping fee for Gradel?  
 11 A. 75 cents a yard.  
 12 Q. Cubic yard?  
 13 A. Correct.  
 14 Q. And what year would that be?  
 15 A. '71, '72.  
 16 Q. So it was a comparable tipping fee to  
 17 Hagman and --  
 18 A. Correct.  
 19 Q. -- King Road?  
 20 A. That is also correct.  
 21 Q. Let's talk about the second Gradel site.  
 22 Where was that site located?  
 23 A. That was directly across the street from  
 24 the Fondessy site at Otter Creek and

1 Millard. It used to be right in here.  
 2 Q. The first Gradel site is north of the  
 3 Fondessy and the other, the second Gradel  
 4 site, is west of the Fondessy site?  
 5 A. Right.  
 6 Q. When did the Gradel site west of the  
 7 Fondessy facility open?  
 8 A. That was shortly after this one was closed.  
 9 Q. So in the early '70's?  
 10 A. Correct.  
 11 Q. Until what year did that site operate?  
 12 A. '88.  
 13 Q. Who disposed of waste at this Gradel site?  
 14 A. Oh, residents from the City of Oregon.  
 15 There were some small haulers that used the  
 16 site. When I say small haulers I'm talking  
 17 guys that own one truck or something and  
 18 drove over there and dumped.  
 19 That's about all I know, because I was  
 20 out of the, basically out of the hauling  
 21 business at that juncture. So I really  
 22 don't have a knowledge of who all dumped  
 23 there.  
 24 Q. Mr. Benton, could you locate the Evergreen

1 facility?  
 2 A. Oh, you bet. Right here.  
 3 Q. I'm sorry, I can't -- where are you  
 4 pointing?  
 5 A. Right in this area here. It's behind East  
 6 Broadway. Here's 280, East Broadway,  
 7 Wales, right here. This would be the, this  
 8 area in here.  
 9 Q. Right here?  
 10 A. Uh-huh.  
 11 Q. And when did the Evergreen facility begin  
 12 accepting waste?  
 13 A. That would be in 1974.  
 14 Q. And this is the facility that was opened  
 15 after Waste Management, Inc., acquired --  
 16 A. Acquired my company, right.  
 17 Q. -- Benton Village Sanitation.  
 18 Are you aware of any industrial waste  
 19 disposal into this facility?  
 20 A. Oh, that was, for a while, before the  
 21 RICA went into effect, they were dumping  
 22 hazardous waste there.  
 23 Q. Who was?  
 24 A. Waste Management.

1 Q. Were there any other companies that dumped  
 2 hazardous waste into the Evergreen  
 3 facility?  
 4 A. There were lots of trucks lined up there  
 5 coming from all over the place, I mean like  
 6 they do at Envirosafe. I don't know.  
 7 Q. Do you remember any?  
 8 A. Who they were? I'm sure that they were  
 9 manifested loads at that time.  
 10 Q. Do you know who Waste Management was  
 11 picking up, where they were picking the  
 12 hazardous waste up from?  
 13 A. No, these were trucks coming in  
 14 owner/operators or company trucks or  
 15 something.  
 16 Q. But you said that Waste Management also  
 17 dumped waste, hazardous waste, at  
 18 Evergreen?  
 19 A. No. If I did, I did not mean to say that.  
 20 When I say they dumped, they provided a  
 21 facility for these people to dump into,  
 22 let's put it that way, up until the act  
 23 mandated certain changes in the way  
 24 hazardous waste was handled.

1 Q. But you don't know that Waste Management,  
2 Inc., did not bring any hazardous waste in  
3 to your knowledge?  
4 A. I do not know if they did. I wasn't  
5 employed by them. I just remember seeing  
6 trucks bringing hazardous waste in to the  
7 site.  
8 Q. Central Avenue, are you familiar with that  
9 facility?  
10 A. Central Avenue? Oh, okay, Silas Means.  
11 Remember the guy that was going to shoot  
12 the fireman at his place?  
13 That's down in, let's see, it's on  
14 Central Avenue. It's got to be around here  
15 somewhere. Central Avenue, right there  
16 where this --  
17 Q. Central Avenue and what's the cross street,  
18 Buckeye Avenue, or, excuse me, Buck Avenue?  
19 A. Well, actually it's right up here. It's  
20 real close to this. It doesn't take that  
21 whole area, but that's okay. It's the  
22 general area.  
23 Q. It's closer to, what, Central?  
24 A. Central.

1 Q. Oh, okay, and I had it too close to Buck  
2 Avenue.  
3 Okay, when did Central Avenue open up?  
4 A. Oh, I have no idea. That isn't even  
5 considered, it's just a plain dump that  
6 this guy has had for years and he dumps  
7 demo. It's just a disaster in there.  
8 I don't know how the city ever let him  
9 go as long. Finally they hauled him in to  
10 jail here a while ago for this site.  
11 It's been a disaster. It's nothing  
12 that's ever been used what I'd say  
13 commercially by any of the commercial  
14 contractors or --  
15 Q. So who puts waste in there?  
16 A. Oh, it's got to be a lot of these little  
17 minority guys that go around and do a  
18 sidewalk or something and dump back in  
19 there. He hauls in junk cars and trucks.  
20 Q. It's construction waste?  
21 A. Yeah.  
22 Q. Who is he?  
23 A. This, is it Means?  
24 THE WITNESS: What's this guy's

1 name?  
2 MR. BLOOM: I can't testify.  
3 THE WITNESS: No, I know, I'm  
4 sorry.  
5 MR. BLOOM: I'll tell you  
6 after we go off the record.  
7 A. I can't remember his name, but it's on  
8 record. I mean he's been such a nuisance  
9 to everybody over the years.  
10 Q. And he was shut down recently by the city?  
11 A. Yeah.  
12 Q. But you don't know of any industrial waste  
13 disposal at that facility?  
14 A. No. They listed it because it's been a  
15 dumping site for years, I mean as far as --  
16 Q. Is it an NPL site?  
17 A. What's an NPL site.  
18 Q. To me when you say listing means National  
19 Priorities List.  
20 A. Oh, no, no.  
21 Q. It's not a Super Fund site?  
22 A. No, nothing like that. It was an old demo  
23 --  
24 Q. What do you mean when you say they listed

1 it?  
2 A. They listed it for closing, you know, to  
3 close the guy up. They said this is one of  
4 our priorities to close this guy up.  
5 Q. Who is they?  
6 A. The City Health Department.  
7 Q. And it was closed up --  
8 A. It's kind of an embarrassment.  
9 Q. -- when?  
10 A. Oh, here just in the last year. It's been  
11 a real embarrassment to Toledo that the  
12 thing survived as long as it did.  
13 Q. Would you be able to locate the Stevens  
14 landfill on this map? Is it --  
15 A. I don't think it goes up that high. It's  
16 Dean Road, Dean and Sterns. You'd have to  
17 find Dean road here someplace.  
18 Q. Are you saying D-e-a-n?  
19 A. Yeah.  
20 So it's out this way somewhere. It's  
21 beyond your map, not very far though.  
22 Q. What do you know about the Stevens  
23 landfill, if anything?  
24 A. All I know is it was a dump. It wasn't a

1 landfill. It was just a plain dump and  
2 that their claim to fame was all the paint  
3 ended up there from DuPont and just caused  
4 one hell of a mess up there.  
5 Other than that he picked up, this  
6 Stevens character picked up a lot of the  
7 trash from all these homes that were up in  
8 there and dumped in his place over there.  
9 Q. Are you indicating homes --  
10 A. In the Bedford area.  
11 Q. This would be north in Michigan?  
12 A. Yeah. Well, he had routes down in this  
13 area and he had routes over in here.  
14 Q. Sir, please indicate --  
15 A. Excuse me, I mean he had routes in the  
16 Sylvania/Holland area, and routes in the  
17 Millbury/Walbridge area, and he hauled that  
18 material back to his landfill.  
19 Q. And those were primarily residential  
20 accounts?  
21 A. That's correct.  
22 Q. So the only industrial dumping that you're  
23 aware of at Stevens was from DuPont?  
24 A. Brought in by Community Sanitation. DuPont

1 didn't bring it in. It was Community  
2 Sanitation that cut a deal with him to  
3 bring that material in there.  
4 Q. Are you aware of any other industrial  
5 dumping at Stevens?  
6 A. No, I don't.  
7 Q. Okay, I guess we had Western Avenue?  
8 A. Yes. Okay, that would be in this area  
9 where it says Kuhlman Drive now and  
10 everything. It's all the big grain  
11 elevators over it and everything. You  
12 wouldn't even know it was a landfill.  
13 Q. What years did that landfill operate?  
14 A. That was opened in the, operated in the  
15 middle '60's. It was closed '66, '67.  
16 Q. What year did it open?  
17 A. Golly, it had to open in the '40's.  
18 Q. So from the '40's until the middle '60's?  
19 A. Correct.  
20 Q. And what types of waste was disposed at the  
21 Western Avenue landfill?  
22 A. Primarily, you know, the municipal trucks  
23 all dumped there and then I know that the  
24 Community Traction trucks, or Community



<p style="text-align: center;">271</p> <p>1 Sanitation trucks dumped there. It was 2 just generally it was an open dump just 3 like the Dura dump. 4 Q. And this was a municipal landfill? 5 A. Correct. 6 Q. Are you aware of anyone else that may have 7 dumped at Western Avenue? 8 A. No. 9 Q. Do you know of any industrial waste or 10 where, do you know whether Community 11 Sanitation took any industrial waste to the 12 Western Avenue landfill? 13 A. I'm sure, I saw their trucks in there, so 14 it must have come from some industrial, but 15 what one I don't know. 16 Q. Did you see disposal of liquids? 17 A. No. No, I did not. 18 Q. How often were you in the Western Avenue 19 landfill? 20 A. I was in there like once a week. 21 Q. During what time period? 22 A. In the early '60's. 23 Q. From early '60's -- 24 A. 1960.</p>	<p style="text-align: center;">274</p> <p>1 the S. E. Freeman landfill, and that was 2 right out, that was where this trailer park 3 is right now, right on top of that. This 4 was all landfill, every bit of that. 5 Q. Wonderful. 6 A. I'm serious, that's it. 7 Q. That's called S. E. Freeman? 8 A. Yes. 9 Q. What years did the S. E. Freeman landfill 10 operate? 11 A. Through 1965. 12 Q. What year did it start? 13 A. Had to start way back in the early '50's. 14 Q. You said '65 it stopped? 15 A. Ceased operation. 16 Q. Who dumped in the S. E. Freeman landfill? 17 A. Primarily it was exclusively for his use. 18 I don't know anybody else that ever dumped. 19 Q. Was he a hauler? 20 A. Yes, S. E. Freeman &amp; Sons. You asked me 21 about -- 22 Q. Oh, that's right, okay. 23 Do you know who his customers were? 24 A. City of Perrysburg. That would be this</p>
<p style="text-align: center;">272</p> <p>1 Q. To what date? 2 A. Basically until they closed, whatever date 3 that would have, once we verify the actual 4 closing date. 5 Q. What did you bring in from, in to the 6 Western Avenue landfill? 7 A. I had some commercial accounts, some 8 apartments and stuff in the immediate area 9 of the Western Street landfill that I 10 picked up and brought in. 11 Q. Was there any charge for dumping in the 12 Western Avenue landfill? 13 A. Not at that time. 14 Q. Was there, subsequently was there a charge 15 for dumping at that landfill? 16 A. Not at the Western Avenue, but other 17 municipal landfills there eventually was a 18 charge for it. 19 Q. We're specifically talking about Western 20 Avenue? 21 A. Correct. No charge at any time on the 22 Western Avenue landfill. 23 Q. Did you ever see any other industrial 24 disposal other than the disposal of</p>	<p style="text-align: center;">275</p> <p>1 city right here. 2 Q. I'm primarily concerned with industrial 3 disposal. 4 A. As far as I know he didn't have a lot of 5 industrial customers. His equipment was 6 simply for like stores and residential. He 7 didn't have any roll-off equipment. 8 Q. And as far as you know he did not allow 9 other people to dump in this landfill? 10 A. That is correct. He did not let other 11 people use his landfill. 12 Q. All right, I'll ask you again are we 13 missing any dumps where there would have 14 been some large scale industrial disposal? 15 A. I can't think of anything else that would 16 be, you know, in the area. 17 Well, I'm sorry, there is one more. I 18 just happened to see it. 19 There used to be a landfill that was 20 around here for a while in Millbury, right 21 here where it says park. 22 Q. What was the name of that landfill? 23 A. Millbury landfill. 24 Q. And who dumped at the Millbury landfill?</p>
<p style="text-align: center;">273</p> <p>1 Community Sanitation Service at the Western 2 Avenue landfill? 3 A. I mean there were trucks coming and going 4 out of there, but for me to identify them 5 today, no. It was easy to identify the 6 Community Sanitation trucks because they 7 were yellow with their name on them. 8 Q. But you don't remember any particular 9 company that may have dumped at Western 10 Avenue? 11 A. No, I don't. 12 Q. Am I missing any dumps? 13 A. Oh, there were always all these little 14 township dumps, but you don't want to mess 15 with those because they never -- 16 Q. I'm concerned about dumps that where there 17 would have been industrial disposal? 18 A. These were just for little neighborhoods 19 and stuff. I mean there was a little dump 20 in the town of Holland. I mean they all 21 had their little dumps, but they wouldn't 22 accommodate any kind of big industrial 23 things. 24 Well, yes, we did. We missed the one,</p>	<p style="text-align: center;">276</p> <p>1 A. Believe it or not, Mr. Bowman. 2 Q. Bowman? 3 A. City of Toledo's city sewage sludge came 4 out there. 5 Q. All the way out there? 6 A. Yep. 7 I dumped out there. I dumped the City 8 of Maumee's trash and stuff like that out 9 there. 10 A guy by the name of Elmer Azman 11 actually ran the landfill under contract 12 with the City of Millbury. 13 Q. It was called the Millbury landfill? 14 A. Yes. 15 Q. Was this a municipally owned landfill? 16 A. It was municipally owned and they had this 17 Mr. Azman contracted with them to run it. 18 He paid them a percentage of the take that 19 the landfill took in. 20 Q. What was the tipping fee at the Millbury 21 landfill? 22 A. 75 cents a yard. 23 Q. And what years did that operate? 24 A. It operated up from '67 to '71.</p>

1 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
2 77 WEST JACKSON BOULEVARD  
3 CHICAGO, ILLINOIS 60604-3590

4 IN THE MATTER OF:

5 Stickney/Tyler, SACM Site No. V-W-96-C-320  
6 1900 Stickney Avenue  
7 Toledo, Ohio

8 Deposition of DENNIS SIEFKE, a Witness  
9 herein, called by the United States Environmental  
10 Protection Agency, Region 5, pursuant to the  
11 Comprehensive Environmental Response,  
12 Compensation, and Liability Act of 1980, 42 U.S.C.  
13 9601 et seq., as amended by the Superfund  
14 Amendments and Reauthorization Act of 1986, Pub.  
15 L. No. 99-499, 100 Stat. 1613 (1986) taken before  
16 me, the undersigned, Philip H. Gaines, a Notary  
17 Public in and for the State of Ohio, pursuant to  
18 Notice, at Gaines Reporting Service, 317 North  
19 Superior Street, Toledo, Ohio, on Tuesday,  
20 November 7, 1995, commencing at 8 o'clock a.m.  
21  
22 - - -  
23  
24

1 APPEARANCES:

2 On behalf of the USEPA:

3 UNITED STATES ENVIRONMENTAL  
4 PROTECTION AGENCY  
5 By: Sherry Estes, Assistant Regional Counsel  
6 Region 5  
7 312-886-7164  
8  
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24

1 DENNIS SIEFKE,

2 being first duly sworn as hereinafter certified,  
3 was deposed and testified as follows:

4 EXAMINATION

5 BY MS. ESTES:

6 Q. Good morning, Mr. Siefke.

7 A. Good morning.

8 Q. My name is Sherry Estes. I'm an attorney  
9 with the United States Environmental  
10 Protection Agency, and we're here today  
11 pursuant to a subpoena under Section 122(h)  
12 of the Comprehensive Environmental Response  
13 Compensation and Liability Act, also known  
14 as CERCLA or the Superfund Statute.

15 Do you acknowledge having received  
16 a copy of a subpoena commanding your  
17 presence at a deposition?

18 A. Yes.

19 Q. Mr. Siefke, I'd like for you to explain to  
20 me your educational background.

21 A. University of Toledo in the Associate's  
22 program, and of course many, many different  
23 types of certifications and so forth in the  
24 environmental area and the hazardous

1 materials areas.

2 Q. What was your -- did you receive an  
3 Associate's degree?

4 A. No, I did not.

5 Q. What did you study?

6 A. Architecture.

7 Q. And subsequently what did you -- what types  
8 of classes did you take?

9 A. Mathematics, English, all the basis 101  
10 courses, you know, as you go through.

11 Q. I'm talking in particular about your  
12 hazardous waste certifications. What --  
13 Oh, environmental?

14 Q. Yes.

15 A. Probably just about everything. I think I  
16 had 14, 15 certifications on the HAZMAT  
17 program as we went through the years.

18 Q. Hazardous materials program?

19 A. Yes.

20 Q. And who conducted this training?

21 A. Different -- the seminars were all over the  
22 United States.

23 Q. And who sent you to this training?

24 A. I sent myself and the companies that I did

1 work for sent me.

2 Q. Did you receive any of this training while  
3 you were employed by Cousins Disposal or  
4 Cousins Waste Control?

5 A. No.

6 Q. So all of your -- excuse me, go ahead.

7 A. You need to ask me another question in  
8 there. I was never employed by Cousins.  
9 You were never employed by Cousins?  
10 A. Never. I never worked for Cousins in my  
11 life.

12 Q. Did you work for any entities controlled by  
13 Barry Cousins?

14 A. Never.

15 Q. Any entities at which Barry Cousins was  
16 associated with them?

17 A. No.

18 Q. Maybe you can clear up a mystery for me  
19 because I was given information that you  
20 had been employed by Cousins. Why would a  
21 private investigator think that you might  
22 have been employed by Cousins?

23 A. I have no idea. Who's the private  
24 investigator?

1 Q. Do you remember talking to a Donald Sunney  
2 from Orion Management?

3 A. Yes. Yes, he came to my house. Yes.

4 Q. And did you indicate to him that you had  
5 been employed by Cousins?

6 A. No.

7 Q. Were you ever -- what entities have you  
8 been employed by in the disposal industry?

9 A. Fondessy Enterprises. Environmental  
10 Management Control, which I was owner of,  
11 and Consolidated Environmental Services,  
12 which I was an owner of.

13 Q. Can you give me the second two again?

14 A. Environmental Management Control,  
15 Incorporated. Then Consolidated  
16 Environmental Services.

17 Q. What years were you employed by Fondessy  
18 Enterprises?

19 A. Oh, boy, that would have been the late  
20 Seventies to mid or late Eighties. It'd be  
21 about 12 years I believe.

22 Q. When did you -- when you were first going  
23 to college at the University of Toledo,  
24 when did you complete your studies or stop

7

1 going to school?

2 A. I never completed it. I went into the

3 service.

4 Q. When did you stop going to school?

5 A. That'd be '69, '70. Seventy.

6 Q. And you went into the service after that?

7 A. Yes, Viet Nam era.

8 Q. When did you come out of service?

9 A. That would have been -- let's see, I went

10 in the service October of '68 I believe, or

11 '69. And then I was out 18, 19 months

12 after that.

13 Q. What did you do after you got out of the

14 service?

15 A. I was a golf professional and I worked at

16 four or five different clubs in the Toledo

17 area for seven, eight years I believe it

18 was, all total.

19 Q. When did you stop doing that?

20 A. When I found out I made more money working

21 three months a year in the winter for

22 Fondessy Enterprises than I did nine months

23 a year working as a golf professional.

24 Q. Approximately -- and so that would have

8

1 been the late 1970's?

2 A. I believe so.

3 Q. So you went --

4 A. I was working as a golf professional in the

5 summers and then working for Fondessy

6 Enterprises in the winter.

7 Q. So you went directly from being a golf

8 professional -- well, you were working for

9 Fondessy in the winter, but when you

10 stopped being a golf professional you went

11 to work for Fondessy full time?

12 A. That's correct.

13 Q. And just so I'm clear on the title on here,

14 that was approximately what year?

15 A. I'd have to say that's, you know, '76, '77,

16 '78, around there. That's been too long

17 ago. I don't remember.

18 Q. When did you start the business

19 Environmental Management Control?

20 A. I think that was started somewhere around

21 Eighty -- '83, '84.

22 Q. Just a second. Didn't you indicate to Mr.

23 Sunney when he had contacted you initially

24 that you had a lot of knowledge regarding

9

1 the Stickney and Tyler landfills?

2 A. I worked on the site with my companies. I

3 worked on the site, yes.

4 Q. You worked on which site, both of them?

5 A. The Hoffman Road site.

6 Q. Did you work at the Stickney or Tyler

7 landfill?

8 A. I think if we did -- that one isn't very

9 clear to me. If we did, it was just

10 aiding assistance probably to the EPA or to

11 whatever, the City of Toledo, and taking

12 samples or something. That would have

13 probably been all that our people did on

14 the Stickney, Tyler site.

15 Q. Are you familiar with the waste disposal at

16 the Stickney or Tyler site?

17 A. I'm not familiar with it, no.

18 Q. Are you aware who might have disposed of

19 waste at the Stickney or Tyler site?

20 A. No. Just a general category.

21 Q. I'm sorry, what do you mean by general

22 category?

23 A. Everybody in the City of Toledo probably

24 dumped there at one time or the other.

10

1 Q. And how do you know -- how did you come

2 about your knowledge?

3 A. Just hearsay.

4 Q. So you have no personal knowledge --

5 A. No.

6 Q. -- as to waste disposal at either the

7 Stickney or Tyler landfill site?

8 A. No. No, I don't.

9 Q. What did your business Environmental

10 Management Control do?

11 A. We were a remedial action cleanup

12 contractor, emergency response contractor,

13 heavy equipment leasing and earth-moving.

14 Q. And you were contracted -- you worked

15 fairly often with the Ohio EPA?

16 A. Yes.

17 Q. And you think that was the context in which

18 you might have been involved at Stickney

19 and Tyler, through taking samples?

20 A. That could have been, or CES would have

21 done it earlier in its career.

22 Q. By CES, do you mean Consolidated

23 Environmental Services?

24 A. Yes.

11

1 Q. And that was the other company which you

2 founded?

3 A. Yes.

4 Q. When did you found that company?

5 A. That would have been in '83, '84, '85.

6 Q. You indicated that you formed Environmental

7 Management Control in '83 or '84. Did you

8 form both companies --

9 A. Let's see, I think --

10 Q. -- about the same time?

11 A. No. I was with EMC three years prior to

12 when I formed CES, so we have -- I believe

13 I was in business, CES was in business for

14 seven or eight years. And then EMC would

15 have been in business three years prior to

16 that, that I formed EMC or started EMC with

17 a partner.

18 Q. So EMC was started in what year?

19 A. I don't remember.

20 Q. Who was President at the time you started

21 EMC?

22 A. I was.

23 Q. Who was President of the United States at

24 the time you started EMC?

12

1 A. Hey, good question.

2 Q. I thought that might help date it a little

3 bit.

4 A. Let's see, President Nixon was while we

5 were during the Viet Nam era. I'd have to

6 say President Nixon was still in power.

7 No, that doesn't make sense, does it?

8 Q. No.

9 A. What years were Carter in there?

10 Q. '78 to '82.

11 A. Boy, that'd have to be real close to the

12 era.

13 Q. No, no, no. It was what, '80? Reagan was

14 elected in '80.

15 A. Oh, that's right, President Reagan. Sure.

16 I'll bet President -- it had to be in the

17 President Reagan era, just coming into

18 power. I think we had just started at the

19 end of President Carter -- or President --

20 yeah, President Carter, and then into

21 Reagan. Yeah, I'm pretty sure.

22 Q. So --

23 A. Gosh, I don't remember. I'd really have to

24 sit down with a pencil and figure that all

1 out.  
 2 Q. So you think that Environmental Management  
 3 Control was started approximately 1980?  
 4 A. Let's just work backwards. Let's go from  
 5 '93, let's use 10 years. '93 to -- or  
 6 seven years. '93 to -- or '94 to what's  
 7 seven years, '86 would have been CES.  
 8 Q. '87.  
 9 A. '87? And then '87 to '84 would be EMC, and  
 10 then from '84 back to -- what's 12 years?  
 11 Twelve years, '84 back to -- it would have  
 12 been the Fondessy Enterprises.  
 13 Q. '76.  
 14 A. Yes, that's about right. That's more  
 15 realistic. That would have been the  
 16 Fondessy Enterprise era.  
 17 Q. Fondessy was '76 to '84, Environmental  
 18 Management Control '84 to '87, and  
 19 Consolidated Environmental Services, '87 to  
 20 '94. Does that make sense?  
 21 A. Yes, that's correct. That's very close.  
 22 Q. Who did you deal with at the Ohio EPA?  
 23 A. Most of the time it was Don Higgins, Mike  
 24 Gerber, and then we had some on-site

1 coordinators that we were working for, and  
 2 we also did a lot of work at that time with  
 3 U.S. EPA, Region 5 out of Chicago.  
 4 Q. What time period did you work with Region  
 5 5?  
 6 A. In the Fondessy Enterprise era. We did a  
 7 lot of work with the Region 5 people.  
 8 Q. Did you work for Fondessy Enterprises or  
 9 for Ace Oil?  
 10 A. I worked for Fondessy and Ace Oil, yes.  
 11 Q. Did you work for both of them at the same  
 12 time, or did you work for one and then the  
 13 other?  
 14 A. I worked -- well, I basically worked for  
 15 Ace.  
 16 Q. And what did you do for Ace Oil?  
 17 A. Just a sales representative.  
 18 Q. Were you involved personally in any cleanup  
 19 work for Ace Oil?  
 20 A. Cleanup work?  
 21 Q. Didn't Ace Oil perform cleanup services for  
 22 Ohio EPA --  
 23 A. Yes.  
 24 Q. -- and the Coast Guard?

1 A. Yes.  
 2 Q. Were you personally involved in any of the  
 3 cleanup work for Ace Oil?  
 4 A. Yes.  
 5 Q. Do you remember where you might have been  
 6 involved in cleanup work for Ace Oil?  
 7 A. One in particular was in Milwaukee on the  
 8 oil spill for the Coast Guard.  
 9 Q. Were you involved in any cleanups in the  
 10 Toledo area?  
 11 A. No.  
 12 Q. Do you know what Fondessy did with the oil  
 13 that it would clean up within the Toledo  
 14 area, if it went in on an oil spill in  
 15 Toledo, what would happen to the oil  
 16 afterwards?  
 17 A. No, I don't.  
 18 Q. You said you were primarily a sales rep?  
 19 A. Yes.  
 20 Q. So how often did you do the cleanup work?  
 21 A. Just when we had a big emergency, a big  
 22 spill that we needed a lot of people to  
 23 help out on and everybody, that  
 24 organization was built up that everybody

1 helped out, including the, you know, the  
 2 office personnel.  
 3 Q. So they had people that did the more  
 4 routine response work on a day-to-day  
 5 basis?  
 6 A. Yes.  
 7 Q. So you would only be called in to do  
 8 service to do cleanup work when that could  
 9 not be handled by the regular crew that did  
 10 that?  
 11 A. That's correct.  
 12 Q. Mr. Siefke, you didn't indicate to Mr.  
 13 Sunney that you had a lot of knowledge  
 14 about the Stickney and Tyler landfills?  
 15 A. Knowledge as far as what I know on the  
 16 Hoffman Road is the work that I performed  
 17 there I had knowledge of, yes.  
 18 Q. Not of Hoffman, but about Stickney and  
 19 Tyler?  
 20 A. I don't -- I've never worked on Stickney or  
 21 Tyler.  
 22 Q. But you did indicate to him that you had  
 23 knowledge about Stickney and Tyler?  
 24 A. No.

1 Q. Are you familiar with the operations of a  
 2 company called S. M. Allen?  
 3 A. No.  
 4 Q. Incorporated Crafts?  
 5 A. No.  
 6 Q. Buckeye Paint and Varnish?  
 7 A. No.  
 8 Q. Do you know a Mr. Ralph Bowman?  
 9 A. No.  
 10 Q. Did you have any business dealings with Mr.  
 11 Barry Cousins?  
 12 A. Yes.  
 13 Q. What were the nature of your business  
 14 dealings with Mr. Cousins?  
 15 A. We were subcontracted by his organization  
 16 and performed work for him under his  
 17 people's direction.  
 18 Q. What year was this?  
 19 A. 1994.  
 20 Q. Did you have any business dealings with Mr.  
 21 Cousins while you were employed by Fondessy  
 22 Enterprises or Ace Oil?  
 23 A. No.

MS. ESTES: If you would give

1 me a minute, please.  
 2 (A short recess was taken.)  
 3 Q. Do you have any knowledge regarding the  
 4 Barry Cousins solvent recovery business?  
 5 A. No.  
 6 Q. And no knowledge regarding any solvent  
 7 recovery conducted by Ralph Bowman?  
 8 A. No.  
 9 MS. ESTES: Okay, we're out of  
 10 here.  
 11 (The deposition was concluded at  
 12 10:30 o'clock a.m.)  
 13 ---  
 14 I, Dennis Siefke, do hereby certify  
 15 that I have read the foregoing  
 16 transcript of my deposition given  
 17 on November 7, 1995, and that  
 18 together with the correction page  
 19 attached hereto, noting changes in  
 20 form or substance, if any, it is  
 21 true and correct.  
 22  
 23  
 24

DATE

DENNIS SIEFKE

## C E R T I F I C A T E

STATE OF OHIO }  
COUNTY OF LUCAS } SS.

I, Philip H. Gaines, a Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within-named witness, DENNIS SIEFKE, was by me first duly sworn to tell the truth, the whole truth, and nothing but the truth in the cause aforesaid; that the testimony then given by him was by me recorded by audio tape in the presence of said witness, afterwards transcribed upon a word processor, and that the foregoing is a true and accurate transcription of the testimony so given by him as aforesaid.

I do further certify that this deposition was taken at the time and place in the foregoing caption specified and was completed without adjournment.

20

I do further certify that I am not a relative, counsel, or attorney of any party or otherwise interested in the event of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Toledo, Ohio, on this 13th day of November, 1995.

\_\_\_\_\_  
PHILIP H. GAINES  
Notary Public  
in and for the State of Ohio.

My Commission expires February 1, 1998.

1 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
2 77 WEST JACKSON BOULEVARD  
3 CHICAGO, ILLINOIS 60604-3590

4 IN THE MATTER OF:

5 STICKNEY/TYLER SACH SITE  
6 3800 STICKNEY AVENUE  
7 TOLEDO, OHIO

8 Deposition of NORMAN J. CZUBEK, a  
9 witness herein, called by the U.S. Environmental  
10 Protection Agency as if upon Direct Examination  
11 under the Federal Rules of Civil Procedure, taken  
12 before me, the undersigned, Philip H. Gaines, a  
13 Notary Public in and for the State of Ohio,  
14 pursuant to Notice and stipulations of Counsel as  
15 hereinafter set forth, at the offices of Gaines  
16 Reporting Service, 317 N. Superior Street,  
17 Toledo, Ohio, on Wednesday, November, 1994,  
18 commencing at 11:00 a.m.  
19  
20  
21  
22  
23  
24

1 APPEARANCES:

2 On behalf of the U.S. Environmental  
3 Protection Agency:  
4 Sherry L. Estes  
5 Assistant Regional Counsel  
6 77 West Jackson Boulevard  
7 Chicago, IL 60604-3590  
8 (312) 886-7164  
9  
10  
11  
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1  
2 NORMAN J. CZUBEK,  
3 being first duly sworn as hereinafter certified,  
4 was deposed and testified as follows:

5 DIRECT EXAMINATION

6 BY MS. ESTES:

7 Q. Mr. Czubek, my name is Sherry Estes. I'm  
8 an attorney with the United States  
9 Environmental Protection Agency.

10 Do you acknowledge having received a  
11 subpoena that originally requested your  
12 appearance at this location on December the  
13 1st, 1994?

14 A. Yes.

15 Q. And then after that we talked and we  
16 rescheduled it for this day to accommodate  
17 a doctor's appointment which you had, is  
18 that correct?

19 A. That's right.

20 Q. Mr. Czubek, the purpose of this deposition  
21 is to investigate waste disposal practices  
22 at the Stickney and Tyler landfills here in  
23 Toledo. As a representative of the United  
24 States Environmental Protection Agency we

4  
1 are in charge of trying to clean up these  
2 landfills or control the landfills so that  
3 chemicals don't go into the Ottawa River  
4 any more than they already have and to  
5 legally -- the companies that put the waste  
6 at the landfill could be responsible for  
7 paying to clean up the landfill.

8 So we're going to ask, I'm going to  
9 ask several questions about that. Is the  
10 purpose of what I'm doing clear to you?  
11 A. To a certain degree. You refer to them as  
12 a landfill --

13 Q. Yes.

14 A. -- and to me that's not the right  
15 terminology, a landfill, because Tyler  
16 Street was nothing but a flood plain.

17 A landfill to me is where there's a  
18 body of like Dura was, there was a farm  
19 where they dug trenches and buried it.  
20 Tyler Street never was that way. That was  
21 just an open marsh that was filled in.  
22 They referred to it as a 101-acre marsh  
23 land.

24 Q. I want to ask you questions about that, but

5  
1 do you have any questions about what I'm  
2 trying to do? I'm trying to find out how  
3 the landfills operated and what companies  
4 may have dumped hazardous waste at the  
5 landfill and what they might have dumped.  
6 Do you understand what I'm trying to do?

7 A. I understand it, but I just wanted to get  
8 the landfill and open dump clarified.

9 Q. Okay, we'll talk about that in a minute.

10 You do understand that you have been  
11 sworn under oath to tell the truth?

12 A. Yes.

13 Q. I'm going to ask you several questions and  
14 I'll try to make the questions as clear as  
15 I can, but if for some reason you don't  
16 understand the question I would like for  
17 you to stop me and tell me that you don't  
18 understand the question. Can you do that?

19 A. Go ahead.

20 Q. And if you do answer the question I won't  
21 know if you don't understand the question  
22 unless you tell me. So if you don't tell  
23 me and go ahead and answer the question, I  
24 will assume that you understood the

6  
1 question. Is that fair?

2 A. I guess.

3 Q. One other thing, we, as you notice, we have  
4 a court reporter and they are recording  
5 what you say here. So you will need to  
6 answer the questions. You can't nod your  
7 head or you can't use hand gestures. You  
8 would have to speak so that the court  
9 reporter can record your response.

10 A. I understand that.

11 Q. Do you have any other questions before we  
12 start?

13 A. No, just again I'll repeat what I said  
14 before as I don't know how you can just ask  
15 for an answer something that happened  
16 thirty years plus back just sitting at a  
17 table and that's pretty hard. We've done  
18 this before, you know, and until you get  
19 everybody that was involved to recollect  
20 and talk about certain things then it comes  
21 back to you. Things that I could say today  
22 I probably could forget tomorrow or, you  
23 know.

24 Q. Mr. Czubek, all I'm asking you to do is

<p style="text-align: center;">7</p> <p>1 answer the questions.  2 A. That's what I said, to the best of your  3 ability, right?  4 Q. To the best of your ability. Nobody's  5 asking you to do anything other than that,  6 okay?  7 Are you a current employee of the City  8 of Toledo?  9 A. I am retired.  10 Q. From the city?  11 A. From the City of Toledo.  12 Q. Okay, but you don't work with them  13 currently?  14 A. No.  15 Q. Are you represented by the law firm of  16 Altman &amp; Colardo?  17 A. I don't know. I don't even know who they  18 are so apparently I'm not.  19 Q. Do you have an attorney?  20 A. Not for this. For what reason would I need  21 one? Can I ask that question?  22 Q. I'm not suggesting, sir, that you do need  23 one.  24 A. Oh, okay. If I don't understand it I have</p>	<p style="text-align: center;">10</p> <p>1 my job with the City of Toledo and  2 Department of Public Utilities right now.  3 You asked if I had any other training.  4 Q. Okay, so did you have any training related  5 to your experiences at the landfill?  6 A. None.  7 Q. The training which you received from the  8 city was it you'd have a day's worth of  9 training every so often or how long would  10 the training last?  11 A. Well, some of them lasted maybe six months  12 three days a week. There would be three  13 different intervals a week and probably for  14 a six-month extension, you know..  15 Q. And how many courses like this did you take  16 approximately?  17 A. Oh, gee, I don't just remember. I've got  18 certificates and so forth at home. I can't  19 recall.  20 Q. So there were several?  21 A. Yeah.  22 Q. After you got out of high school what was  23 your first job?  24 A. I believe I worked for Standard Oil.</p>
<p style="text-align: center;">8</p> <p>1 to ask you.  2 Q. Okay, but you do have the right, and my  3 letter to you about this deposition  4 informed you that you do have the right, to  5 bring an attorney with you.  6 Do you have any questions regarding my  7 role in this deposition?  8 A. No, I don't believe so.  9 Q. Sir, could you state your name and address  10 for the record, please?  11 A. Norman J. Czubek --  12 Q. Okay, can you spell that?  13 A. C-z-u-b-e-k.  14 Q. Thank you.  15 A. 4654 Suder Avenue, Toledo, Ohio.  16 Q. Mr. Czubek, what is your educational level?  17 A. Three years of high school and several  18 courses in city management at the  19 University Of Toledo.  20 Q. Okay, did you complete an associate's  21 degree?  22 A. No.  23 Q. Okay, any other type of training,  24 vocational training or any other schooling</p>	<p style="text-align: center;">11</p> <p>1 Q. Okay, and how long did you do that?  2 A. Oh, I don't recall. A couple years  3 probably. Maybe a year and a half.  4 Q. What years were those?  5 A. Well, it was before '53 when I started with  6 the city. So that would have to be  7 probably '51, somewhere in there. I'm not  8 accurate. I'm not sure about that.  9 Q. Again, just the best you can do.  10 After you left Standard Oil did you go  11 to the City of Toledo?  12 A. I was in 1953. June 16th, 1953, is when I  13 started with the City of Toledo.  14 Q. Did you go directly from Standard Oil to  15 Toledo?  16 A. No, I was in construction, various  17 constructions, brick laying, mason, cement.  18 Q. Okay, how long did you do that?  19 A. Oh, probably a couple years.  20 Q. Okay, and then you went from there to the  21 City of Toledo?  22 A. Right.  23 Q. Okay, what did you first start doing for  24 the city?</p>
<p style="text-align: center;">9</p> <p>1 that you might have had after high school?  2 A. Yeah, the safety, like I said, safety  3 programs and the --  4 Q. Which safety programs, sir?  5 A. Pardon?  6 Q. Which safety programs?  7 A. With the City of Toledo.  8 Q. So these were offered through your job?  9 A. Right.  10 Q. Okay, what did they --  11 A. Didn't have to take them, but I took them  12 for the.  13 Q. Okay, what did they show you how to do?  14 A. Well, in my line of work we're talking  15 about putting up trenches, shoring and so  16 forth to avoid cave-ins, because we did go  17 underground in some cases, you know, 9 or  18 10 feet where it could be hazardous, you  19 know, and it's various conditions in  20 construction.  21 Q. So it was mainly designed to show you how  22 trenches at a landfill should be properly  23 constructed?  24 A. No, not at a landfill. I'm talking about</p>	<p style="text-align: center;">12</p> <p>1 A. I was a stoker.  2 Q. What is a stoker?  3 A. A stoker is a guy that works the  4 incinerator that burns the refuse, burns  5 the garbage.  6 Q. Okay, and where were you a stoker?  7 A. At Creekside on Sylvania Avenue. That was  8 the incinerator plant.  9 Q. Okay, how long did you do that?  10 A. Well, until it closed. I guess a couple  11 years. Then from there we went to, oh,  12 maybe a year and a half or so, then we went  13 to what they called an open dump.  14 The people that worked the incinerator  15 went to the, was transferred, which was the  16 same deal except you was no longer a  17 stoker. So I was a laborer, laborer in  18 charge.  19 Q. Okay, and was that at the Tyler Street  20 Landfill?  21 A. Various, we was all over. Pontiac Street,  22 Tracy, we've had several dumps that I'd  23 have to sit and think about where they were  24 all at now.</p>



1 Q. When did you start working at either the  
2 Stickney or the Tyler landfill?  
3 A. I don't remember the dates, but it was all  
4 in the '50's.  
5 Q. Which one did you start working at first?  
6 A. Well, there was no one first. You just  
7 went to wherever they assigned you for that  
8 --  
9 Q. You went from one to another?  
10 A. Right, and then one day maybe you was at  
11 several of them, you was at several of the  
12 dumps.  
13 Q. Do you remember when you first started  
14 working at Tyler?  
15 A. Not the particular date, no.  
16 Q. What's your best estimate as to when you  
17 started working there?  
18 A. Well, '53, '54, about late '54 or early  
19 '55.  
20 Q. Was the Stickney Avenue Landfill open at  
21 that time?  
22 A. No, not at that time.  
23 Q. So you would go from one landfill to  
24 another?

1 A. Yeah, well, we were on fire call.  
2 Q. So you would only go out there when there  
3 was a fire?  
4 A. No, we went there to prevent them. We had  
5 fire hoses where we would soak the areas  
6 down where the rubbish and so forth would  
7 be, you know. We didn't wait for no fire.  
8 Q. So how did you know to go from which  
9 landfill? Did you have a particular  
10 schedule each week that you on Mondays you  
11 went to one landfill, Tuesdays another one,  
12 and then they might change that if there  
13 was an emergency?  
14 A. No, on one day maybe you went to three or  
15 four different ones. You'd go down and  
16 soak one down and go out and move on and do  
17 the other, go to Western Avenue and do the  
18 same thing and so forth.  
19 Q. So every day you were at several landfills?  
20 A. Right.  
21 Q. What do you mean by soak them down?  
22 A. With a fire hose just like you do for a  
23 fire. You hook in to a fire hydrant and go  
24 out there and soak the bank down.

1 Q. What did you soak?  
2 A. The rubbish, the garbage, everything,  
3 whatever was dumped there.  
4 Q. So you would soak down the garbage?  
5 A. Yeah.  
6 Q. Would you soak down the dirt that was  
7 placed on top of the garbage?  
8 A. Ma'am, there was no, the years you're  
9 talking about there was no dirt then.  
10 These are open dumps, not landfills. These  
11 were just plain open dumps.  
12 The only dirt that we got put on there  
13 in the '50's is what maybe people would  
14 bring in and maybe put some dirt on top of  
15 the garbage and rubbish and so forth.  
16 Q. How often -- did they cover the waste at  
17 all?  
18 A. Not in the '50's.  
19 Q. So how long would the waste stay there  
20 open?  
21 A. Until they shoved it over the bank which  
22 was done maybe two, three times a day. I  
23 mean the bulldozer was going all the time,  
24 you know. It's just been pushed over the

1 bank, pushed into the hole, pushed into the  
2 marsh.  
3 Q. Okay, you said that Tyler was a marsh?  
4 A. Tyler was a flood plain, right.  
5 Q. About how big was Tyler?  
6 A. Well, everybody referred to it as 101  
7 acres, but it had to have been more than  
8 that.  
9 Q. So all they were doing is piling the  
10 garbage on top of the marsh?  
11 A. Right, which was a hole, right. From the  
12 street level, from where Tyler Street came  
13 in, we just filled it right in. There was  
14 no excavation there because there was  
15 nothing to excavate.  
16 Q. From Tyler Street to the marsh you said  
17 there was a bank there. How high was the  
18 bank?  
19 A. Oh, I don't know, a bank of maybe 8, 9  
20 foot, somewhere in there. It would vary,  
21 you know. The holes would vary, you know.  
22 I mean a marsh is not just, you know,  
23 straight across.  
24 Q. But it was about that amount, 8 or 9 feet

1 between the bank and where the marsh was?  
2 A. Right.  
3 Q. And then the marsh was right next to the  
4 river, is that correct?  
5 A. Right.  
6 Q. Was there a bend in the Ottawa River at  
7 that time?  
8 A. Was there a what?  
9 Q. A bend in the river?  
10 A. Oh, yes.  
11 Q. Was that filled in through dumping waste?  
12 A. Now, if you're speaking of the Ottawa  
13 River, Ottawa River you asked if it had a  
14 bend. Yes, Ottawa River had a bend. The  
15 Ottawa River itself never was filled in.  
16 Q. Right.  
17 A. No, not as, you know, for garbage, but  
18 there was another leg that came off of that  
19 bend that come across through Tyler, and  
20 it's pretty hard to describe it unless you  
21 had a schematic of the area to show what  
22 was what.  
23 There was a leg that come exactly  
24 right off the drop-off of Tyler that came

1 around and it come and went east, circled  
2 around and went back to Lagrange Street and  
3 then came back into Ottawa River. Those  
4 two were blocked on each end of course and  
5 then that part was filled, but that was not  
6 exactly the Ottawa River. It was a leg of  
7 the Ottawa River, right.  
8 Q. A leg of the river?  
9 A. Right.  
10 Q. Did that particular, did it have a name or  
11 was it called a creek or just a leg of the  
12 river?  
13 A. Huh-uh, everybody just referred to the  
14 whole area as the Ottawa River, that's all.  
15 Q. But that particular leg was filled in?  
16 A. Yes, right along with the marsh, right.  
17 Q. What was it filled with?  
18 A. That was filled with just about everything.  
19 There was some garbage and most of that  
20 stuff I think was probably reserved for  
21 like oil and textile waste.  
22 This textile waste is pretty hard to  
23 describe because it's like goop. It would  
24 come out in barrels, you know, just like

1 coming out in molasses in January, you  
2 know.  
3 Q. Are you talking about waste from  
4 Textile Leather Corporation?  
5 A. Right, and also oils from at that time, I  
6 got no documented proof, but I was told it  
7 was some of that that came out from Sun  
8 Oil.  
9 Q. And it was particularly in the area where  
10 the leg of the river was?  
11 A. That's right. That's where it was, right.  
12 Q. Anything else that was put in that  
13 particular area?  
14 A. Oh, various things, yeah.  
15 Q. What do you remember?  
16 A. I remember the oil and the textile.  
17 Q. What about municipal garbage?  
18 A. You're talking strictly now on that leg  
19 that they filled in?  
20 Q. Just on the leg, yes.  
21 A. Yeah, I'm thinking. Well, DuPont had a  
22 tanker come out there. Of course there was  
23 no markings on the truck that said DuPont,  
24 but it was a tanker.

1 Q. How did you know it was from DuPont then?  
2 A. By hearsay just because we were out there  
3 attending it, you know. They didn't have  
4 to show anything, but it was some kind of  
5 chemical that came out of DuPont and I know  
6 it was --  
7 Q. Did you talk to the driver?  
8 A. Oh, God, I imagine we talked to the driver,  
9 but I don't think we went and talked to the  
10 driver to say what have you got in the  
11 tanker. We might have talked to the driver  
12 of, you know, how's the day, what do you  
13 do, you know, and all this kind of stuff.  
14 Q. How was the truck painted?  
15 A. There were no markings on it. I don't even  
16 recall on the tanker. It was just --  
17 Q. Was it a particular color?  
18 A. Oh, the tanker could have been, well, to  
19 tell you the truth, the tanker I think was  
20 different colors. I think one, they would  
21 have a painted one, maybe it would be white  
22 with no markings. Then maybe the other one  
23 might look like aluminum, you know, just --  
24 Q. Unpainted?

1 A. Unpainted, yeah, and there were no markings  
2 on them.  
3 Q. So how did you know it was from DuPont?  
4 A. Because people said here comes a load from  
5 DuPont. That's all.  
6 Q. How did they know it was from DuPont?  
7 A. Well, apparently somebody talked to the  
8 driver or somebody had to talk to somebody  
9 in the city other than us that was out  
10 there, you know, working and say, well, you  
11 know, what's he, oh, that's from DuPont,  
12 you know, just hearsay.  
13 Q. Did you ever personally talk to the driver?  
14 A. No. As far as to what he was carrying?  
15 Q. No, as to where he came from?  
16 A. No. Maybe just a hi or something or maybe  
17 some small talk or short talk, but nothing  
18 to do with his loads, no, because he had to  
19 get permission from somebody or else he  
20 wouldn't have been in there.  
21 You know, we didn't have the authority  
22 to say yes or no to whether he could come  
23 in or not. You know, when he came in we  
24 were told where to assign him to go out and

1 dump in a certain area, you know.  
2 Q. Who gave the permission for them to come  
3 in?  
4 A. It came from the foremen and  
5 superintendents.  
6 Q. Can you tell me the names of any of those  
7 people?  
8 A. My superintendent was Fred Houck.  
9 Q. Fred Houck is deceased, is he not?  
10 A. Right.  
11 Q. Is there anyone else that would have had  
12 authority to tell him where to come in?  
13 A. Well, yeah, he got his orders from  
14 downtown, you know, from his office.  
15 Q. What about someone that might have been  
16 working there at the site?  
17 A. I don't follow. What do you mean?  
18 Q. Was there someone other than Fred Houck  
19 that worked --  
20 A. Well, there was another foreman, Leon  
21 Hopper, that took orders from, again, from  
22 Fred Houck, you know, for the chain of  
23 command.  
24 Q. Is Mr. Hopper alive?

1 A. Oh, no, he'd be about 101 I suppose, 102 by  
2 now.  
3 Q. Do you know of any of the supervisors or  
4 foremen that might be living at this time?  
5 A. No. No, just the ones that we talked about  
6 as far as the workers. No, not no  
7 supervisors.  
8 Q. Were there any other supervisors other than  
9 Mr. Houck and Mr. Hopper did you say, were  
10 there any other supervisors?  
11 A. No, I didn't say Mr. Hopper, but now that  
12 you said it there was a Mr., I think there  
13 was a Hopper, but I don't know where you  
14 got that from.  
15 Now that you said it, yeah, there was  
16 a Hopper there. I think he was a  
17 commissioner.  
18 Q. Anyone else that had authority to tell  
19 people whether they could come in or not?  
20 A. No, I wouldn't, we wouldn't have that  
21 knowledge.  
22 Q. Did you see -- I'd like for you to turn to  
23 the entire Tyler Marsh, okay?  
24 A. Uh-huh.

1 Q. Did the city dispose of waste at the marsh?  
2 A. Did the city dispose of waste? Yeah, the  
3 city disposed their garbage. Garbage  
4 trucks did their daily, you know, pickups,  
5 and that's where the garbage came out,  
6 because the incinerators was already  
7 closed. There was no more burning so we  
8 were burying it, you know, pushing it over.  
9 Q. What did the city throw away at the marsh?  
10 A. Just general garbage.  
11 Q. How do you know they were, how did you know  
12 it was city waste?  
13 A. The city trucks are marked, white trucks,  
14 white rubbish trucks.  
15 Q. Did they say City of Toledo on them?  
16 A. Sure, they said City of Toledo.  
17 Q. Do you have any idea how big the trucks  
18 were?  
19 A. Oh, in cubic yards I couldn't tell you. I  
20 imagine it was probably around 10 cubic  
21 yard trucks at that time, and I'm only  
22 guessing there.  
23 Q. Do you have any idea how many trucks from  
24 the city might go out?

1 A. No. No, I couldn't tell you that.  
 2 Q. You don't know how many might be there on a  
 3 particular day?  
 4 A. Oh, sometimes there would be four, five,  
 5 six at a time in there dumping, you know.  
 6 Q. How many might be there, go there to Tyler  
 7 in a particular day?  
 8 A. How many different trucks or how many  
 9 trucks?  
 10 Q. How many truckloads?  
 11 A. Oh, God, I couldn't. I don't think there  
 12 was any documentation on something like  
 13 that of how many loads were coming in.  
 14 Several, you know, several loads, you know.  
 15 Q. Thirty, forty, a hundred?  
 16 A. No, I don't know about no hundred, but I  
 17 imagine it would be safe to say somewhere  
 18 twenty to thirty a day, you know. Then I  
 19 could be off then because, you know, like I  
 20 say it was very seldom that I stayed in one  
 21 area for any eight-hour day because we were  
 22 all over.  
 23 We were like, you know, if we weren't  
 24 putting water on the banks we were putting

1 fences up or doing something, you know, at  
 2 different areas and different sites, you  
 3 know.  
 4 Q. How long, on the days that you went to  
 5 Tyler how many hours would you be there  
 6 probably?  
 7 A. Oh, golly, I don't know. I don't trust my  
 8 memory.  
 9 Q. Would you be there a couple of hours or  
 10 half a day or?  
 11 A. Well, total back and forth maybe I'd hit  
 12 Tyler maybe two, three times a day. So,  
 13 yeah, I imagine, yeah, put four or five  
 14 hours in. If there was a fire you stayed  
 15 there, stayed around the clock until it was  
 16 out.  
 17 Q. Did you see the city ever dump anything  
 18 other than municipal garbage?  
 19 A. Well, yeah, there's stones, unless you  
 20 consider that garbage. Yeah, sweepings  
 21 when the sweeper went through they'd put it  
 22 in a dump truck and bring it out.  
 23 Q. Are you talking about street sweepers?  
 24 A. Street sweepers, yeah, because that's

1 separate from the garbage now.  
 2 Q. What about batteries or oils from city  
 3 trucks?  
 4 A. From city trucks?  
 5 Q. Yes.  
 6 A. No, I can't say that.  
 7 Q. You have no knowledge?  
 8 A. No. I don't think batteries because a  
 9 battery was a saleable item, you know.  
 10 You used to be able to sell batteries.  
 11 You'd go to a junk yard and then sell them,  
 12 you know, and I think that's what they did.  
 13 No, I don't remember them dumping no  
 14 batteries.  
 15 Q. What about oils or transmission fluids,  
 16 radiator fluids from city municipal garbage  
 17 trucks, other trucks?  
 18 A. I don't know what they did with their oil.  
 19 I don't know where they disposed of it or  
 20 if they had some guy that come and pumped  
 21 them out of their tankers, you know, after  
 22 they, and if they did that I don't know  
 23 where they took it.  
 24 Q. So you never saw the city dump oils at the

1 Tyler Marsh?  
 2 A. No. No, not as the city, no.  
 3 Q. What about vehicle tires?  
 4 A. Well, I think at that time almost everybody  
 5 was dumping tires.  
 6 Q. Did you see the city dump tires?  
 7 A. No. No, I can't say that.  
 8 Q. What about construction debris?  
 9 A. Construction debris?  
 10 Q. Yes, let's say they were building a road or  
 11 building, you know, some kind of city  
 12 building?  
 13 A. You mean as far as the city?  
 14 Q. This is just for the city, yes.  
 15 A. Well, no. Well, yeah, if they had, if they  
 16 dug a certain section of the roadway for  
 17 repaving, yeah, they would bring their  
 18 concrete out and so forth, yeah, concrete,  
 19 dirt, or whatever was mixed with it, you  
 20 know.  
 21 Q. Or if they tore down a building did they  
 22 bring that waste to the landfill too?  
 23 A. I don't remember any of that stuff coming  
 24 to Tyler, no.

1 Q. What about any city painting operations?  
 2 Did you ever see paints disposed of by the  
 3 city at Tyler?  
 4 A. No, I couldn't honestly say that, no.  
 5 Q. What about solvents?  
 6 A. Solvents from the city?  
 7 Q. Yes.  
 8 A. No.  
 9 Q. What about -- was there any liquid waste  
 10 that may have come to the landfill in  
 11 drums?  
 12 A. From the city?  
 13 Q. Again, from the city, yes.  
 14 A. No. No, I can't say that.  
 15 Q. Is there anyone else that you know of still  
 16 living that could provide more detail about  
 17 the waste disposal of the City of Toledo?  
 18 A. I think you've got all the names of the  
 19 people that --  
 20 Q. Why don't you tell me.  
 21 A. Well, the only ones that I know that are  
 22 still living is Chet Czyznakiewicz that's  
 23 supposed to be here tomorrow and Dan  
 24 Czyznakiewicz which is a brother of his.

1 Well, then there's Frank, but Frank  
 2 wasn't involved that much in the '50's. He  
 3 came later on because he worked for  
 4 rubbish. He was a, you know, garbage  
 5 pickup now. As far as working out in the  
 6 dump it wasn't until later.  
 7 Q. Okay, anyone else?  
 8 A. No, not in that era. Well, yeah, there is,  
 9 yeah, Al Kern.  
 10 Q. Is Al Kern living now?  
 11 A. Well, I can't answer that. I don't know.  
 12 Q. To the best of your knowledge?  
 13 A. I haven't seen no obituary or nothing on  
 14 him, but he's nowhere near here though. I  
 15 guess he's in another state.  
 16 Q. Do you know what state he's in?  
 17 A. No. Somewhere around Dakota is all I know.  
 18 I don't know north, south or, you know.  
 19 Maybe that's not an accurate statement  
 20 either because I don't know, talked to  
 21 somebody at some funeral somewhere and his  
 22 name came up and, by God, that's years ago  
 23 when his name came up and he said, well,  
 24 yeah, Al lives out in Dakota or something.

1 Q. Anyone else?  
 2 A. Not that's alive.  
 3 Q. When the city and other entities or other  
 4 companies disposed of waste in the Tyler  
 5 Marsh, was the city waste and the industrial  
 6 waste put in the same places?  
 7 A. Oh, I suppose at times, yeah.  
 8 Q. At times, but at times it was separate?  
 9 A. Well, if it was liquid, yeah, they tried to  
 10 keep it up in the trench, keep it away from  
 11 the garbage, because if you put liquid on  
 12 the garbage then you had a soft spot where  
 13 the trucks couldn't go over the thing. You  
 14 tried to keep the rubbish as dry as you  
 15 can, you know.  
 16 Q. So if a truck came in with drummed waste  
 17 where would that waste be dumped?  
 18 A. He would have a designated spot. Then  
 19 Textile came in there he had a spot back  
 20 into this little trench that I was telling  
 21 you about that was like a leg of the Ottawa  
 22 River that was plugged off on both ends and  
 23 they concentrated on filling that in, you  
 24 know, with that kind of stuff, along with

1 DuPont and I guess Sun Oil waste that came  
 2 in, you know.  
 3 Q. Owens-Illinois?  
 4 A. I don't remember no Owens-Illinois.  
 5 Q. No?  
 6 A. DeVilbiss came in, but they had like a  
 7 milky solution, but I think that was where  
 8 when they were turning like brass fittings  
 9 to keep the die cool, so it wouldn't burn  
 10 up, but it would look sort of like milk.  
 11 Now, if that was any kind of contaminant I  
 12 have no idea, but that wasn't all, you said  
 13 drums.  
 14 Q. Were the -- I'm sorry, what was the last  
 15 thing you said?  
 16 A. I said you said something about stuff  
 17 coming in containers like drums and that's  
 18 what I remembered about DeVilbiss, you  
 19 know, bringing that liquid stuff out.  
 20 Q. Did liquid waste come in to the landfill in  
 21 any way other than in drums?  
 22 A. Well, the tanker that I was telling you  
 23 about, but I don't know of course --  
 24 Q. The one that you thought was from DuPont?

1 A. Right.  
 2 Q. Do you know of any other companies that  
 3 brought tankers to Tyler?  
 4 A. Other than DuPont in a tanker, no.  
 5 The reason that rings a bell on me is  
 6 somebody suggested that he, dumps are  
 7 pretty dusty, and then he went back and  
 8 forth and spread that stuff on the road  
 9 only to find out that that made people  
 10 sick. The attendants that was out there  
 11 around lunch time, you know, time after  
 12 time they'd heave their guts.  
 13 So whatever was in that tanker had  
 14 something to do with, you know, making  
 15 somebody pretty ill. So, you know, they  
 16 apparently must have talked to the  
 17 superintendents and said, well, from  
 18 now on have them dump just in that trench  
 19 out there and don't put it on the road  
 20 anymore.  
 21 Q. Which road did they put it on?  
 22 A. On the dump road, wherever the road would  
 23 be. Roads change in a dump. You know,  
 24 you'd be here one day and the next day if

1 it rained you went another spot. There was  
 2 no, there was just the road to the dump.  
 3 Q. And how long did they dump on the roads  
 4 before they changed it because people got  
 5 sick?  
 6 A. Oh, God, I wouldn't trust my memory on  
 7 that. I don't know. Probably --  
 8 Q. A couple weeks? A year?  
 9 A. Well, it wasn't like an everyday kind of  
 10 thing that they were dumping on the road,  
 11 you know, but, yeah, maybe six months went  
 12 by when somebody finally said, hey, there's  
 13 got to be a connection somewhere because  
 14 every time they come in, you know, these  
 15 guys are out there just heaving their guts,  
 16 you know.  
 17 Q. What did the liquid smell like?  
 18 A. Oh, God, very -- I wouldn't even know how  
 19 to describe it.  
 20 Q. What did it look like?  
 21 A. Liquid.  
 22 Q. What color was it?  
 23 A. Well, I couldn't, I don't know if it had a  
 24 color to it or it was just --

1 Q. Clear?  
 2 A. Yeah, it probably could have been clear,  
 3 and maybe one time maybe it had a foginess  
 4 to it, you know.  
 5 Q. Did it do anything else to people other  
 6 than make them throw up?  
 7 A. No. No, that's the only thing I can  
 8 remember.  
 9 Q. Did it make people's eyes water or --  
 10 A. No, I don't recall that either because  
 11 those guys are gone now.  
 12 Q. Did you personally experience the throwing  
 13 up?  
 14 A. Yeah, well, I was only 20-some years old.  
 15 Of course, you know, we're talking about  
 16 guys was in their 40's and 50's in that  
 17 time. So naturally we didn't stay there  
 18 all the time so, you know, we were out more  
 19 or less, you know, with the fresh air, you  
 20 know. Maybe we'd come in and get a good  
 21 whiff of it, but we didn't stay there like  
 22 the attendants stayed over there, you know.  
 23 Q. Did that liquid ever make you personally  
 24 sick?

1 A. Oh, it stunk bad enough that, you know, we  
 2 got out of there, sure.  
 3 Q. Did it cause any other problems, headaches?  
 4 A. I don't remember. Maybe. If it did, you  
 5 know, we never said anything about it.  
 6 Q. Were liquids dumped any other place other  
 7 than this bend in the river?  
 8 A. Well, if they couldn't get over there. I  
 9 imagine there was times where we had to put  
 10 them in different locations maybe because  
 11 of a storm, maybe because of the wetness,  
 12 you know.  
 13 They didn't maintain the roads like  
 14 they do today, you know, with stone and so  
 15 forth. The only thing that we had for  
 16 topping the road off is what maybe the  
 17 street department or construction or  
 18 somebody brought some stone in and make a  
 19 road out of it, you know.  
 20 So if the times were bad and just like  
 21 anybody else if it was muddy or, you know,  
 22 they'd hit another location, you know, but  
 23 --  
 24 Q. Do you remember any particular location?

1 A. Just in the dump itself. Just in the dump  
2 itself in that 100 acres.  
3 Q. Okay, and this might have sometimes been at  
4 the same area where the municipal garbage  
5 was or --  
6 A. It could have been. Yeah, it could have  
7 been.  
8 Q. Or it could have been somewhere else?  
9 A. Yeah.  
10 Q. How often was industrial waste disposed of  
11 at the Tyler Landfill?  
12 A. How often?  
13 Q. How often.  
14 A. Well, this was a daily thing. You know,  
15 some would come in maybe two or three times  
16 a day. You know, one outfit might dump  
17 that much. Maybe Textile might brought in  
18 two of their, maybe two loads a day, you  
19 know, because that was a, in their case  
20 though that was a long-winded operation  
21 because it'd take you probably two or three  
22 hours to unload their truck with this  
23 stuff, but otherwise they just brought  
24 stuff that had, you know, that was dry and

1 just, and hydraulic dumps. They could dump  
2 and get out and maybe make two or three  
3 trips a day, just various construction  
4 companies, you know, without naming them.  
5 I don't know who the --  
6 Q. You mentioned that there were attendants  
7 that were at the dump all the time.  
8 A. Yeah.  
9 Q. Could you give me names of anybody?  
10 A. But they're all gone. They're all dead.  
11 John Ejeck and, oh, golly, a guy called  
12 Brownie Bunk.  
13 Q. Any of these individuals that are --  
14 A. Alive today?  
15 Q. Are alive, yes.  
16 A. Not to my knowledge. If they are I haven't  
17 seen them in thirty years or twenty-five  
18 years, you know.  
19 Q. Okay, well, why don't you just give me a  
20 list of the names that you could remember  
21 and we can possibly check out if they're  
22 still living.  
23 A. Well, I know John Ejeck because he was  
24 more or less a neighbor in the neighborhood

1 and he's gone. That's the only ones, boy,  
2 the other ones I could almost picture them  
3 but I just can't come up with their names,  
4 but I know they're dead. Carl Smith, he's  
5 dead.  
6 Q. Anyone that you're not sure whether they're  
7 living or dead?  
8 A. That was an attendant?  
9 Q. Yes.  
10 A. No. No, I couldn't.  
11 Q. Mr. Czubek, did you also live in the area  
12 of the Tyler Street Landfill?  
13 A. I lived on Pitt Street, 3840 Pitt Street,  
14 and at the time that was going.  
15 Q. And how close was that to the landfill?  
16 A. Well, that creek separated us, but that  
17 creek soon got filled in, that leg that we  
18 talked about.  
19 Q. Oh, this is the same thing as the leg?  
20 A. The back of the property went right towards  
21 the Tyler Street Dump.  
22 Q. Okay, did you ever notice anybody dumping  
23 in there after you would get off work?  
24 A. Oh, sure. I mean you could just see trucks

1 going in and out of there all the time.  
2 Q. What time would you usually get off work?  
3 A. Well, that's a hard, we had no set time  
4 because like I said we either, if we  
5 weren't there we were at another one. I  
6 suppose a set time at that time probably  
7 was around 4:00, maybe 4:30.  
8 Q. And how late would --  
9 A. But we worked overtime, worked a lot of  
10 overtime on soaking these dumps down.  
11 Q. But you would see people in there after  
12 4:00 or 4:30?  
13 A. Oh, sure.  
14 Q. How late would you see trucks in there?  
15 A. Well, you could see headlights and when it  
16 was dark they were still going in.  
17 Q. Do you have any idea who was going in?  
18 A. No. No, I wouldn't go out there. I mean  
19 that's a distance from my house to where  
20 the entrance of the, you know. Pitt Street  
21 ran parallel with Lagrange Street and Tyler  
22 was the next street on over with run east  
23 and west.  
24 But, no, you could see activity there

1 through all the time, you know. We'd put a  
2 gate up there, put a lock on it, and  
3 somehow they'd get the lock off, you know,  
4 and then in and out they'd go, so.  
5 Q. So that was not permitted by the city, but  
6 it happened anyway?  
7 A. Yeah, right.  
8 Q. Do you know of anyone that might have  
9 information about --  
10 A. No.  
11 Q. -- the trucks going in that way?  
12 A. Huh-uh, and the only reason I knew because  
13 I lived so close and I could see activity,  
14 you know, going back and forth.  
15 Q. Did you have any other neighbors that were  
16 around at that time that might be able to  
17 tell us some more about the trucks going in  
18 at night?  
19 A. Well, my neighbor next door was Ed  
20 Micowichek, but I don't know if, you know,  
21 I imagine anybody that lived out in that  
22 area would see those trucks go in and out.  
23 Q. How did Mr. Micowichek spell his name? Do  
24 you know?

1 A. No, I couldn't tell you.  
2 Q. He lived on Pitt Street?  
3 A. Uh-huh.  
4 Q. Is he still living to your knowledge?  
5 A. Yeah.  
6 Q. Is he still on Pitt Street?  
7 A. No. Oh, no. My God, that's thirty-five  
8 years.  
9 Q. Do you know where he might be living?  
10 A. No, I don't.  
11 Q. Is there anyone else that might have  
12 information about the dumping that occurred  
13 either during the day or the night?  
14 A. No, the ones that all lived around through  
15 there, my landlord and all that, they're  
16 all gone.  
17 Q. Did you have occasion to observe Community  
18 Sanitation Services dumping at the Tyler  
19 Street Landfill?  
20 A. Yeah.  
21 Q. Do you have any idea how many trucks they  
22 may have run in a particular day to the  
23 landfill?  
24 A. No, I don't know how many trucks they had,

1 but they used to come in, you know, maybe  
2 three or four times a day.  
3 Q. What did their trucks look like?  
4 A. Well, they were just more or less open  
5 trucks. They weren't like no city garbage  
6 trucks. They were just like, oh, do you  
7 know what a grain hauler is, open?  
8 Q. Can you describe it for me?  
9 A. Just like a stake truck or open truck with  
10 4-foot sides with a tarp on it. Maybe some  
11 were 14-foot long, maybe some were 16 or  
12 18-foot long, and the width would be the  
13 legal width, you know, whatever the width  
14 is, 6 or 7 feet. It can't be over eight or  
15 you're out of the law then.  
16 Q. Did they have any back-loaders or  
17 front-loaders?  
18 A. No. No, not at that time.  
19 Q. Possibly later on?  
20 A. No, not as far as Community Sanitation, no.  
21 If they did it's past my memory then.  
22 Q. Do you remember Community Sanitation  
23 Services possibly bringing semi truckloads  
24 full of drummed waste to the landfill?

1 A. No.  
2 Q. Not to your memory?  
3 A. Huh-uh.  
4 Q. Do you know anyone that worked for  
5 Community Sanitation Services?  
6 A. No. Just by sight, you know, when you see  
7 somebody, you know.  
8 Q. But you don't know any names?  
9 A. No. I probably wouldn't even recognize  
10 them.  
11 Q. Were they the main sanitation service that  
12 was going into the Tyler Street Dump?  
13 A. Well, I wouldn't know whether they was the  
14 main one or not. I wouldn't have any idea  
15 of that.  
16 Q. Are you familiar with a disposal service  
17 called BFI or Browning Ferris Industries?  
18 A. Well, yeah, I guess everybody is there.  
19 They've got a great big down on Hagman Road  
20 right today, they've got a big landfill.  
21 Q. Did they dump at Tyler Street to your  
22 knowledge?  
23 A. I don't recall them, but, and this is  
24 hearsay, I thought BFI, this is hearsay

1 now, took over Community Sanitation.  
2 Q. I think that they did.  
3 A. Well, that's, and that's, you know, you  
4 pick this up through conversation, you  
5 know, but I have no documentation or  
6 anything.  
7 Q. Did you ever see a truck with markings that  
8 said BFI at the Tyler Street Landfill?  
9 A. No.  
10 Q. What about BFI Medical Waste Systems?  
11 A. What about them? Do you mean coming in  
12 there?  
13 Q. Yes.  
14 A. No. I didn't know anything about BFI  
15 Medical Waste Systems until they built that  
16 incinerator out there where their dump is  
17 at.  
18 Q. Are you familiar with an entity called  
19 Benton Sanitation?  
20 A. You know, that rings a bell and I just  
21 can't, you know, huh-uh.  
22 Q. Do you remember seeing any of their trucks  
23 at the Tyler Street Landfill?  
24 A. The name you just said, you know, lights a

1 light bulb up, but I can't, I don't know if  
2 they were a hauler or if they were  
3 construction or if they were a regular  
4 rubbish route kind of a thing. I can't  
5 tell you.  
6 Q. You just don't remember?  
7 A. No, not Benton, no.  
8 Q. Mr. Czubek, I just need to caution you a  
9 little bit. The court reporter is trying  
10 to get everything that is said down and so  
11 if you would, please, let me just finish  
12 the question and then you can answer it.  
13 He can't get it down if we're both talking  
14 at the same time.  
15 Do you know of a company called Oberle  
16 Sanitation?  
17 A. Yeah, Oberle I think was in, there was an  
18 Oberle on Stickney Avenue and I think he  
19 handled waste oil. He did something to  
20 this waste oil. I don't know if the proper  
21 terminology would be remanufactured or made  
22 it to --  
23 Q. Recondition?  
24 A. Recondition to go like over stone like dust

1 control, you know, for different parking  
2 lots and so forth, yeah.  
3 Q. Did they dump anything at the Tyler Street  
4 Dump?  
5 A. Well, they came out and I don't know if  
6 they were dumping oil or what, I don't  
7 know, but they did, yeah, they used to come  
8 out and I don't know whether they had  
9 rubbish or oil. I don't think they dumped,  
10 no, I don't remember them dumping oil.  
11 Q. Did you see what they did dump?  
12 A. No, not really. I couldn't be honest about  
13 that.  
14 Q. Do you know of anybody that worked for  
15 Oberle Sanitation?  
16 A. No, I think that was more of a family  
17 operation. I think Oberle and his sons  
18 more or less worked, you know, together.  
19 It wasn't a big outfit, you know, just a  
20 small outfit.  
21 Q. Are they still living to your knowledge?  
22 A. I'll tell you, there was something, an  
23 article in the paper I guess, where they  
24 found his son somewhere in California, and

1 I think later on they found another one  
2 dead. So I don't know.  
3 Q. And the father is --  
4 A. If he's alive I haven't seen him in, oh,  
5 golly, I would have no idea, twenty,  
6 twenty-five years, somewhere in there I  
7 suppose.  
8 Q. What about Cousins Sanitation?  
9 A. Cousins, Cousins to me was more of a, was a  
10 scrap yard kind of deal. There was a --  
11 no, I don't remember no Cousins Sanitation.  
12 Do you mean as a rubbish hauler?  
13 Q. Yes.  
14 A. No.  
15 Q. Well, even if they were a scrap yard they  
16 could, it's possible that they might have  
17 taken certain things to the Tyler Street  
18 Dump that they were unable to use in the  
19 scrap yard for instance.  
20 A. Oh, wait a minute. I think, okay, now it's  
21 coming. There is a Cousins up on  
22 Matzinger, all right, that handles, I guess  
23 they're in some kind of a, oh, they handle  
24 contaminant kind of stuff, okay. They go

1 out and clean up the environment and so  
2 forth. No, I don't remember them coming  
3 out.  
4 Q. So you're talking about when you say they  
5 were on Matzinger you don't remember them  
6 from the '50's and '60's?  
7 A. No, but that name was there was a scrap  
8 yard on Detroit and Lagrange Street or  
9 Detroit and Sylvania with that same name.  
10 That's probably where I got the Cousins.  
11 No, as far as them picking up  
12 industrial waste and so forth at that time,  
13 no, I never heard of them.  
14 Q. What about an entity called Fondessy?  
15 A. Fondessy, yeah. I think Fondessy took over  
16 Paul Jeffers if I'm not mistaken.  
17 Q. And did you ever see Fondessy dump waste at  
18 the Tyler Street Dump?  
19 A. Not at Tyler.  
20 Q. At Stickney?  
21 A. Not at Stickney either.  
22 Q. Where did they dump?  
23 A. I remember them working for when they had a  
24 job at Standard Oil they were just how I

1 got to know them is they were dumping over  
2 there on Consaul Street.  
3 Q. Excuse me?  
4 A. On Consaul Street Dump.  
5 Q. Was this another dump that was run by the  
6 city?  
7 A. Yeah. Yeah, that's the one that's caving  
8 in where that trailer park is at and people  
9 are having all kinds of problems.  
10 Q. I'm not familiar with it, sir.  
11 A. Oh.  
12 Q. You said that Fondessy took over Jeffers?  
13 A. Well, that's hearsay. I mean, again, you  
14 know, I don't know.  
15 Q. Okay, did you ever see Jeffers dump at the  
16 Tyler Street Dump?  
17 A. Yeah. Yeah, Paul Jeffers, that was a  
18 tanker that used to haul for Sun Oil. He  
19 had a, to my knowledge he had a Reo truck,  
20 R-e-o, Reo, that's the name of it. A great  
21 big, looked like a big old bathtub on it.  
22 That was he was hauling the sediment from  
23 Sun Oil.  
24 Q. Do you know how much the tank might hold?

1 A. Oh, God, I have no idea. The sides had to  
2 have been probably 4 or 5-foot high. The  
3 inside dimension probably was about 7-foot  
4 by 20. So you can get your --  
5 7 feet wide and 20 feet long?  
6 A. 20 feet long by 4-foot high and the back  
7 had an angle on it, you know, it wasn't no  
8 square thing. It was an odd looking, it  
9 was built strictly to haul that kind of a  
10 stuff, you know, to haul that waste oil.  
11 Q. What color was that truck?  
12 A. To the best of my knowledge the cab was  
13 green and the box was just rust. You know,  
14 it was just out of, it was made up out of  
15 steel and they never did paint it. It was  
16 just rust color.  
17 Q. Was it lettered Sun Oil or strictly  
18 Jeffers?  
19 A. No. No, no letters, no name on them.  
20 Q. Did you, how did you know it came from Paul  
21 Jeffers?  
22 A. Well, the talk was, you know, from over  
23 there, why that's Paul Jeffers that's doing  
24 the hauling, and you just took it at that,

1 you know.  
2 Q. Do you remember someone that told you that  
3 it was Paul Jeffers?  
4 A. Just everybody that worked out there, you  
5 know.  
6 Q. You don't remember anyone in particular?  
7 A. No. No, it was just one of those  
8 conversations that I don't know where I got  
9 it, but you knew that was Paul Jeffers'  
10 truck.  
11 Q. Did you ever talk personally to the driver?  
12 A. Hi, how you doing, and stuff like that,  
13 yeah. I never had no conversation with  
14 him, no.  
15 Q. The driver never said I'm from Paul Jeffers  
16 to your knowledge?  
17 A. No.  
18 Q. Did they haul oil from anyplace other than  
19 Sun Oil?  
20 A. If they did I'm not knowledgeable of it,  
21 but it just seemed like they had a pretty  
22 good contract with that Sun Oil.  
23 Q. Why do you say that?  
24 A. Pardon?

1 Q. Why do you say that?  
2 A. Because to make a box like that on the  
3 truck, you know, that took some welding and  
4 it took, and their continuous trips, you  
5 know.  
6 Q. How many trips would they make a day?  
7 A. Oh, maybe one one day and the next day  
8 maybe three or four, but, again, see I'm  
9 not there all the time, but then you'd see  
10 the truck, maybe in our travel you'd see  
11 the truck maybe come down Manhattan to  
12 Lagrange, you know, heading over to  
13 supposedly to Tyler Street Dump.  
14 Q. So it was en route to the Tyler Street  
15 Dump?  
16 A. Yeah. I imagine he made two or three  
17 trips, maybe as high as four trips. Again,  
18 that's a guesstimate though, you know.  
19 Q. Each day?  
20 A. Yeah, and when they were hauling, you know.  
21 It wasn't like five days a week.  
22 I guess when these vats came down, I  
23 don't know the operation at Sun Oil now,  
24 but then they had to go get the sediment

1 out, okay, and so whatever period it took  
2 them to get that sediment or how much  
3 sediment was in there, you know, so then he  
4 would haul until it was cleaned out.  
5 Maybe it would be a two or three-day  
6 rest area or something or maybe when  
7 they're changing these big vats over then  
8 maybe he wouldn't haul nothing for two or  
9 three days, but when he hauled he hauled,  
10 you know, a couple, two, three, probably  
11 four loads.  
12 Q. Did he haul pretty much continuously  
13 throughout the year or was there just one  
14 time during the year when he'd be hauling  
15 for them?  
16 A. Well, you know, I couldn't, I don't know.  
17 I couldn't answer that. To me it seemed  
18 like he was, the season really didn't have  
19 much to do with it if that's what you're  
20 saying. It just was pretty much across the  
21 whole year I would say.  
22 Q. Okay, but there might be some times when  
23 they weren't hauling?  
24 A. Right.



1 Q. What about Consolidated, have you heard of  
2 them?  
3 A. It rings a bell, Consolidated, but -- there  
4 was a Consolidated Trucking Company right  
5 there at the foot of Tyler Street.  
6 Q. Where they a hauler?  
7 A. No, they were not in rubbish no. There was  
8 a term though where they hauled freight,  
9 Consolidated.  
10 Q. Do you know of a company called  
11 Consolidated that was a hauler?  
12 A. For rubbish?  
13 Q. Yes.  
14 A. No.  
15 Q. Let me go back a minute. What did this oil  
16 look like?  
17 A. Boy, what a question. Just heavy oil, you  
18 know.  
19 Q. Industrial oil or automotive oil or do you  
20 know?  
21 A. Well, it had sediment. It wasn't like real  
22 loose oil, you know. It was like it had  
23 sediment in it, you know.  
24 Q. Sludge?

1 A. Sludge, yeah, that would be a good term to  
2 use. More like sludge, yeah.  
3 It was liquified though because, you  
4 know, they put baffle plates in that thing  
5 so that she wouldn't slush off, you know,  
6 go on the roadway, but it was more on the  
7 heavy side. More of a sludge, yeah.  
8 Q. Okay, was it a dark color or what color was  
9 it?  
10 A. Yeah, that was dark. Yeah, that was more  
11 in a black color.  
12 Q. Did it cause any, cause people to get sick  
13 like the --  
14 A. Gees, who knows now, you know. What, you  
15 mean not at the time nobody noticed  
16 anything, but, you know, what it was doing,  
17 you know, who knows.  
18 Q. Waste Disposal Services, are you familiar  
19 with them as a hauler?  
20 A. Waste Management I think is one, but that's  
21 just recently that I know of them, but I  
22 don't remember them --  
23 Q. No, the name I have is Waste Disposal  
24 Services for that time period.

1 A. Well, if it is I don't recall.  
2 Q. Michigan Ohio Overland Freight?  
3 A. Huh-uh.  
4 Q. Are you familiar with the Libbey Glass  
5 Company?  
6 A. Yeah, I'm familiar with them. I know where  
7 they're at on Buckeye, yeah.  
8 Q. There are two separate companies. One of  
9 them is called Libbey Glass and the other  
10 one is called Libbey-Owens-Ford Glass. I'd  
11 like for you to answer questions about  
12 Libbey Glass right now. Is that the one  
13 that's over on Buckeye?  
14 A. Libbey Glass, yeah, on Buckeye, yeah.  
15 Q. Okay, do you know what Libbey Glass made?  
16 A. Glasses, yeah, they're in glassware. Yeah,  
17 we go there.  
18 Q. Glassware to drink out of?  
19 A. Out of, yeah.  
20 Q. Any other?  
21 A. Glassware, pitchers, and stuff I guess to  
22 that effect.  
23 Q. Do they make any glass like windshields or  
24 windows?

1 A. Not on Buckeye. Not to my knowledge, and  
2 I've lived there all my life, you know.  
3 Q. They were close to where you lived, their  
4 plant?  
5 A. Yeah, Buckeye is right off of Manhattan and  
6 that's not too far. Yeah, but that's  
7 strictly a glass, to my memory, that's all  
8 they made is drinking glasses, you know,  
9 shot glasses, beer glasses and different,  
10 you know. I never knew that they ever made  
11 a windshield in there though.  
12 Q. I'm just asking.  
13 A. Oh, okay.  
14 Q. Was the Buckeye facility their only  
15 facility in the Toledo area?  
16 A. To my knowledge it was, yeah. If they did  
17 I was not aware of it.  
18 Q. Did you ever see Libbey Glass disposing of  
19 waste at the Tyler Street Dump?  
20 A. Yeah, but I can't tell you. Yes, they  
21 would come in. They would have the name on  
22 a truck, but probably just I imagine like  
23 cartons and stuff like that, you know, from  
24 crates or something.

1 Q. Cardboard crates?  
2 A. Cardboard, yeah. Yeah, just general  
3 rubbish.  
4 Q. Did you ever see them dump any liquid at  
5 the Tyler Street Dump?  
6 A. No. No, not from Libbey.  
7 Q. Would they have floor sweepings?  
8 A. I can't answer that. You mean what they  
9 put in the rubbish? I imagine they might  
10 have, you know. I don't have no idea  
11 whether there was floor sweepings or where  
12 the stuff even came from other than that  
13 they were bringing it out.  
14 Q. Did you ever personally view what they had  
15 in their waste?  
16 A. No.  
17 Q. When did the Stickney Landfill open?  
18 A. Oh boy, I'm not going to be accurate at  
19 that.  
20 Q. To the best of your knowledge.  
21 A. Well, we must have opened that in the late  
22 '50's. Late, yeah, probably in the late  
23 '50's. Yeah, because I think we were  
24 getting pretty much getting ready to close

1 Tyler if I'm not mistaken.  
2 Q. I think Tyler closed a little later.  
3 A. Yeah, and Dura was just opening up slightly  
4 there too. Of course that's another one so  
5 I don't want to get into that.  
6 Q. You said that the Tyler was an open dump.  
7 Was Stickney operated the same way?  
8 A. Yeah, but Stickney was more or less an open  
9 dump, but it was not marsh land like Tyler  
10 though. It was low land, but there was  
11 still high enough banks around the river  
12 where the water didn't come up.  
13 I mean you didn't dump in no flood  
14 plain or nothing. I mean it was just a  
15 lower, much lower level, you know, once it  
16 got off of Stickney Avenue. Don't ask me  
17 how many feet because it varies some of the  
18 places because that's, Stickney Avenue was  
19 dug out like a hundred years ago because  
20 that's where the Collingwood bricks were  
21 made and they had that kind of dirt there  
22 to make brick yards.  
23 I only know that through my  
24 grandfather and my dad. We used to go out

1 there, you know. There used to be a good  
2 swimming hole back in there that was spring  
3 fed, you know, and the water was just  
4 crystal clear, but the reason for that  
5 cavity out there is because they took all  
6 this material out, you know, for brick.  
7 Q. You weren't dumping in standing water like  
8 you would be in Tyler?  
9 A. No, not on Stickney.  
10 Q. Did they cover the waste at Stickney?  
11 A. Only with the stuff that they would get. I  
12 mean there was no program like they have  
13 today that the landfills have to be covered  
14 with so many inches of dirt, you know. No,  
15 there was no such thing as that, not on  
16 Stickney.  
17 Q. Do you know where this stuff might have  
18 come from?  
19 A. Can you repeat? What are you referring to?  
20 Q. Well, you said that they would cover it  
21 only with stuff that they would get.  
22 A. From different construction companies maybe  
23 some of the sweepings like, you know, from  
24 the street department and some maybe from

1 various construction companies, whoever was  
2 doing work where they had some dirt and  
3 concrete and, you know, different stuff to,  
4 yeah, then they would cover it over.  
5 Q. And how often might they cover it?  
6 A. There was no set time. Maybe sometimes  
7 maybe two or three days would go by they  
8 wouldn't get no decent cover and you just,  
9 it would just be open garbage, you know,  
10 just an open dump.  
11 Q. Would they usually cover about once a week?  
12 A. Well, I'll tell you, that's pretty slim  
13 pickins for it to be once a week. I mean  
14 it's not like it was a set rule though, no.  
15 -- Maybe if somebody was digging a  
16 basement out, a contractor was digging a  
17 basement out and there was a lot of dirt,  
18 then you got more that day, you know. Then  
19 you covered it more.  
20 Q. So it was usually two or three times a  
21 week?  
22 A. As far as getting cover?  
23 Q. Yes.  
24 A. Well, I don't know how you want to put it

1 in that term. It varied, you know.  
2 As far as covering it there was, like  
3 I said, there was no, they didn't have no  
4 set rules of like covering a, well, like  
5 even like Dura Landfill or like where  
6 they've got the one over here on, what is  
7 it, Hoffman Road. They didn't have no set  
8 rules then.  
9 Q. Were they ever, did they ever receive sand  
10 from U.S. Reduction Company?  
11 A. Well, I don't know if you want to call it  
12 sand.  
13 Q. What would you call it?  
14 A. It looked like, I don't know if the proper  
15 terminology was to simply refer to it as  
16 like fly ash. It looked like silver dust.  
17 That was another bad thing that we found  
18 out got a few people sick out of there,  
19 too. So, but nevertheless they were still  
20 dumping it.  
21 Q. I've heard it described as either black or  
22 gray?  
23 A. It was black, but when the sun would hit it  
24 you could almost see like sparkle, you

1 know. Again, they were using it, they  
2 tried to use it for road, you know, to try  
3 to make a road out of it. Well, when it  
4 would rain that stuff would float right on  
5 top and, boy, that made one hell of a mess  
6 so they quit using it for a road. They  
7 continued dumping it though.  
8 Q. How often would U.S. Reduction dump the fly  
9 ash or the sand?  
10 A. Well, I guess whenever they would clean out  
11 wherever they were getting it from. It was  
12 maybe not like every day. Maybe every day  
13 until they maybe cleaned out -- where did  
14 this stuff come out of, a big stack or  
15 something?  
16 I don't know. I imagine that's where  
17 it came out of, you know, one of their big  
18 stacks, you know, where they were doing  
19 their melting, you know, for that U.S.  
20 Reduction. I guess they used to melt,  
21 what, aluminum and so forth back there?  
22 Q. Yes.  
23 A. But, yeah, they'd dump every day until they  
24 finished their project and then I don't --

1 Q. Would they dump once a week?  
2 A. No, if they were dumping they would dump  
3 more than once a day. They would dump more  
4 than once a day if they were cleaning it  
5 out.  
6 Q. Would they probably dump every week?  
7 A. Until, yeah, I guess. You know, it's hard  
8 to answer those kinds of questions, you  
9 know.  
10 Q. You said that people got sick?  
11 A. Well, you can, if you blew your nose or  
12 you'd spit that stuff you could see it in  
13 your Kleenex or your hanky, you know. That  
14 dust could get right up in your nostrils,  
15 you know.  
16 Q. So people were breathing it in?  
17 A. That's right.  
18 Q. And when you breathed it in what did you,  
19 did you get headaches or nauseous?  
20 A. Well, yes, and I never had a headache in,  
21 that's one thing I never had. In my life I  
22 don't know what a headache is all about.  
23 But there's other people that, you  
24 know, that stayed there. Again, see, their

1 attendants that was out there. Again, you  
2 know, we were just maybe there a short  
3 time.  
4 Maybe sometimes maybe spent two or  
5 three hours if one of the attendants would  
6 be off or somebody would have to go home.  
7 Then we'd get locked in and stayed there  
8 maybe for a couple hours, a half a day, you  
9 know, but I don't remember getting  
10 particularly sick on that because there was  
11 so many multiple other things that were out  
12 there, you know.  
13 Q. Did you ever see this fly ash burn?  
14 A. No.  
15 Q. I had one witness say that they saw it burn  
16 and it burned like charcoal.  
17 A. Well, if it did I just don't remember it  
18 then. I can't say it if I don't really  
19 remember, you know. I'd like to, but I  
20 don't.  
21 Q. You were talking about at Stickney they  
22 would cover the waste with whatever stuff  
23 that they got. Is that also true for  
24 Tyler?

1 A. Well, yeah. Yeah, if we got dirt or  
2 something like that they'd want to put it  
3 over there so you could have a better  
4 roadway then once you got the dirt over  
5 that garbage and if you filled a particular  
6 hole just so you could continue going, you  
7 know, so you wouldn't just be riding along  
8 on garbage.  
9 Q. So, again, it would be whatever you got?  
10 A. Whatever you got, yeah. No set amount and  
11 maybe very little one day and a whole lot  
12 the next day or something, you know.  
13 Q. Did the city dispose of waste at the  
14 Stickney Landfill?  
15 A. Well, there's the, I thought I told you  
16 street sweepings and --  
17 Q. Well, I think we were talking about Tyler  
18 then.  
19 A. Yeah, okay, no. Same stuff as, yeah, they  
20 brought out their street sweepings and  
21 broken concrete and so forth, you know,  
22 yeah.  
23 Q. Any oils or paints?  
24 A. No. No, I never seen that.

1 Q. Any drummed waste from the city?  
2 A. From the city, no.  
3 Q. Was there dumping of liquid chemicals at  
4 Stickney?  
5 A. Well, here again, we're back again with  
6 Textileather because they used to come and  
7 empty their barrels.  
8 Q. Was Textileather to your knowledge hauling  
9 for themselves or did they have one of the  
10 services, the haulers, haul for them?  
11 A. No, I think they hauled their own because  
12 they old guys and I remember Floyd and  
13 Peanuts that worked on that thing. They're  
14 both dead now.  
15 -- They had Textile right on their truck.  
16 That was their own truck. They brought  
17 their own stuff or their drums, you know.  
18 Q. How often would Textileather bring their  
19 chemicals out?  
20 A. Oh, they'd be in there daily. They're  
21 just, you know, you could almost set your  
22 clock on when they would come, you know.  
23 Q. How many drums would they bring out?  
24 A. Oh, whatever an 18-foot stake truck, you

1 know, would hold it would be full.  
2 Q. You don't have any idea how many?  
3 A. No, I wouldn't. I have no idea. It could  
4 take about six, see, maybe six and maybe  
5 ten across and probably about fifty, sixty  
6 drums probably at a time.  
7 Q. And how many times would they come out in a  
8 day?  
9 A. It all depends on how they would unload  
10 them. Sometimes, you know, they might be  
11 one load may be two hours, maybe two and a  
12 half, three hours trying to unload, you  
13 know.  
14 If it was just, you know, like  
15 textile, like cardboard and stuff like  
16 that, well, they can empty the drum, but  
17 when it come to this what they called dope  
18 it came out like a molasses, well, maybe  
19 one drum would take ten, fifteen minutes to  
20 gloop out, you know.  
21 Q. What color was this molasses?  
22 A. Oh, God, you name it. Any color you want  
23 to think of. It was some were red, some  
24 were green, some were blue.

1 Q. What did it smell like?  
2 A. Oh, I don't know how you describe a smell.  
3 Pretty strong.  
4 Q. Chemical smell?  
5 A. Something like more like you'd be in a  
6 paint shop, you know.  
7 Q. Did it smell like paint?  
8 A. Did it smell like paint?  
9 Q. Did it smell like paint?  
10 A. I think it was a little stronger than  
11 paint, but, yeah, it would be pretty close  
12 to it.  
13 Q. Did the Textileather materials make you  
14 sick or make anybody that you worked with  
15 sick?  
16 A. I can't answer for that. Again, there's so  
17 many other things there you wouldn't know  
18 which one did get you sick. I mean you  
19 can't just go right to one truck and say  
20 that truck --  
21 Q. Well, you could point to the DuPont truck?  
22 A. Yeah.  
23 Q. But you don't remember anybody having a  
24 particular health reaction to Textileather?

1 A. Well, the guy on the truck, that Peanuts,  
2 you know, he used to put a hanky across his  
3 face. He worked for Textile. He didn't  
4 work for the city now.  
5 According to Floyd, Floyd was the  
6 driver, you know, for some reason Peanuts,  
7 you know, got sick quite often on that  
8 stuff, but then that's another deal, you  
9 know. He worked for Textile, you know, he  
10 didn't work for the city.  
11 Q. And both Floyd and Peanuts are deceased?  
12 A. Yeah.  
13 Q. Is there anyone else that used to bring  
14 waste out from Textileather that --  
15 A. After those, that was done, I don't know  
16 if they got a commercial hauler to haul it  
17 out or what. I don't remember.  
18 Q. Was there any particular place that liquids  
19 would be dumped at the Stickney Landfill?  
20 A. No. No, there was no designated particular  
21 spot, not on Stickney, not like it was on  
22 Tyler, no.  
23 Q. You mean the trench in the river on Tyler?  
24 A. Yeah.

1 Q. Did they try to dump in different areas  
2 from where the city was dumping the  
3 municipal garbage?  
4 A. I think now, come to think of it, maybe now  
5 it will get back to that Textile, there was  
6 like a sand hill. I think they were  
7 dumping more or less up on a sand hill away  
8 from the garbage.  
9 Q. Do you know, could you tell me where that  
10 might be located?  
11 A. Where it might be located?  
12 Q. Yes, where was it located?  
13 A. Pretty close, well, from Stickney Avenue  
14 way, oh golly, I don't know in distance,  
15 probably about 500, 600 feet from Stickney  
16 and probably 200 or 300 from the river bank  
17 east, you know, west of Stickney and east  
18 of the river bank. There used to be a sand  
19 hill back there for years.  
20 Q. Did other companies dump liquids on the  
21 sand hill?  
22 A. You know, I can't -- there was tankers in  
23 there. I don't know if that was the same  
24 tanker that came from DuPont or what. I

1 don't know. Yeah, but they, yeah, there  
2 was a tanker there.  
3 Q. Did it look like the tanker that was from  
4 DuPont that you saw at the Tyler Landfill?  
5 A. It looked like it, but I couldn't say for  
6 sure if that was really them though.  
7 Q. And people didn't say where that tanker was  
8 from?  
9 A. No.  
10 Q. Did the companies have to pay to dump?  
11 A. No. No, nobody paid nothing.  
12 Q. There was never any dump tickets or weight  
13 tickets?  
14 A. No.  
15 Q. Any kind of documents that would indicate  
16 who might be bringing waste to either  
17 Stickney or Tyler?  
18 A. Not in those, not in the '50's, none  
19 whatsoever.  
20 Q. When you had both Stickney and Tyler open  
21 were there days to your knowledge where  
22 somebody might bring waste to one dump and  
23 for whatever reason they couldn't dump  
24 there and city people would tell them to go

1 to another dump or might tell them to go to  
2 the Dura Landfill?  
3 A. No, not in my time. No, but now let me --  
4 you just refreshed my memory there a little  
5 bit now.  
6 I think there towards the end, you're  
7 asking about keeping track, they were  
8 keeping track of how many rubbish trucks  
9 would come in. That was the attendants'  
10 job.  
11 Q. Is that from the city?  
12 A. That was the city, yeah, but that was later  
13 in the '50's. For some reason they wanted  
14 to know how many rubbish trucks was coming  
15 in.  
16 So if a rubbish truck come in, you  
17 know, you'd just mark and at the fifth one  
18 you crossed and these were the city loads,  
19 garbage trucks. Okay, so that kind of a  
20 documentation was, yeah, they turned that  
21 in to the foreman.  
22 Q. Was that to Mr. Houck?  
23 A. No, there was no foreman, Leon Hopper, but  
24 he's gone.

1 Then I imagine from there it went to  
2 Mr. Houck and from Mr. Houck it probably  
3 went to the commissioner, you know. I  
4 imagine it was the commissioner. Who else  
5 would, who would be asking for this.  
6 Q. Okay, but to your knowledge they didn't  
7 keep records of the commercial companies or  
8 the private haulers?  
9 A. No. No, the only ones I remember X marking  
10 because I know a couple times when we again  
11 had to take care of them, we had to put  
12 down every time a rubbish truck would come  
13 in and just mark how many loads came in,  
14 you know. Not the truck number now, just  
15 how many city loads.  
16 Q. How often were there fires at either the  
17 Stickney or the Tyler Landfill?  
18 A. Oh golly, sometimes you'd have them maybe  
19 two or three in a week, you know. That was  
20 the idea of wetting it down. Guys would  
21 come in there, smoke, throw the cigarette,  
22 you know, then the first thing you'd know  
23 you'd have a fire that would get away on  
24 you so bad that you might be there all

1 night putting it out.  
2 We had an old fire truck that was  
3 designated to us, Dan Czyznakiewicz and  
4 myself. We would fill it up with fire hose  
5 and went to the fire hydrant, you know, and  
6 we were supposed to maintain it as best we  
7 could, you know, to keep the fire  
8 department over on Lagrange back in there  
9 for the residents, you know, for the  
10 business people instead of, you know.  
11 I guess the people are complaining at  
12 how many hours the fire department was  
13 putting out in the city dump, you know. So  
14 that along another duty came with us, you  
15 know. So there we are, we were the  
16 firemen, but not firemen by --  
17 Q. Training?  
18 A. -- training. No, just get out there and  
19 work with the bulldozer and put the water  
20 on it and we did that for years.  
21 Q. Did you have more fires at Stickney or  
22 Tyler?  
23 A. Mostly the amount of fire that I would say  
24 Tyler did.

1 Q. How often might you have a fire at Tyler?  
2 A. Like I said, maybe a couple times, two or  
3 three times a week. Maybe a week would go  
4 by that we were lucky and didn't have one,  
5 you know. Then maybe a couple weeks went  
6 by that we didn't have one, you know.  
7 It all depends on how much time we had  
8 to soak it, you know. Soaking was a main  
9 factor, you know, in keeping them fires  
10 down, you know. Then you can put too much  
11 water on them because then the trucks  
12 couldn't go over it, you know, you had a  
13 sludge condition.  
14 Q. And was it worse during the summer?  
15 A. Oh, naturally, it's always worse during the  
16 summer because everything is so brittle and  
17 dry, yeah. Yeah, sometimes maybe exhaust  
18 maybe would even get something going, you  
19 know, a truck parked there with the --  
20 Q. Were there particular parts of the landfill  
21 that would be more likely to burn?  
22 A. Yeah, where most of the cardboard and  
23 papers and stuff that were drier, right,  
24 yeah, naturally.

1 Q. What about where the industrial waste, the  
2 liquids, were dumped? Was that more likely  
3 to burn?  
4 A. You know, I can remember one big fire on  
5 the Tyler Street and that's the thing was  
6 it was such a black smoke people didn't  
7 know even what was happening out there and  
8 that's when that waste oil got on fire  
9 somehow.  
10 Q. Do you know who brought the waste oil, that  
11 particular waste oil?  
12 A. Yeah, that's when we were talking about  
13 Jeffers. That's where Jeffers was dumping  
14 from that Sun Oil.  
15 Q. Sun Oil?  
16 A. Yeah. Yeah, they had one good size fire  
17 there. I mean it was a big one.  
18 Q. How long did it take to put that fire out?  
19 A. Man, I think they worked all day on it.  
20 Q. Any other parts of the landfill that were  
21 more likely to burn?  
22 A. No, other than that, you know, that oil  
23 fire, but landfills would burn wherever,  
24 you know. There was no particular spot,

1 you know. Mostly your cardboards and  
2 papers and office waste, you know, and a  
3 lot of papers, like that, yeah, that would  
4 catch, you know, pretty quick.  
5 Q. What about on the Stickney Landfill, how  
6 often would you have fires at Stickney?  
7 A. For some reason we've had some but nowhere  
8 near what like Tyler Street though.  
9 Q. Do you think that that was because there  
10 was less industrial waste placed at  
11 Stickney than at Tyler?  
12 A. I don't know what the reason is for it, but  
13 we just had a lot less though.  
14 Q. Mr. Czubek, do you remember when we went  
15 through the list of sanitation services?  
16 A. Uh-huh.  
17 Q. You don't remember any of those if they  
18 operated at Stickney they would also  
19 operate at Tyler?  
20 A. Well, both of those dumps weren't open too  
21 long at the same time. One reason Stickney  
22 was getting opened is because Tyler was  
23 filling up.  
24 It isn't like Consul Street, Western

1 and Tyler. Those dumps were, you know,  
2 like for certain areas.  
3 We had two dumps that close, from the  
4 Tyler Street right on over across the water  
5 into Stickney, it's because they were  
6 running out of space on Stickney, I mean on  
7 Tyler, and that's the reason they was  
8 opening up Stickney Avenue.  
9 Q. Do you know what years both of the dumps  
10 may have operated?  
11 A. No. In the '50's is all I can say, you  
12 know.  
13 Q. Do you remember Libbey Glass dumping at  
14 Stickney?  
15 A. Oh, I imagine they did, but I can't, I just  
16 can't picture, you know, in my mind right  
17 now Libbey coming in.  
18 Then again I wouldn't doubt it because  
19 they were one of the haulers, you know.  
20 Yeah, they brought in their waste and  
21 different cardboards.  
22 Q. What about Libbey-Owens-Ford Glass, did  
23 they dump either at Stickney or at Tyler?  
24 A. I don't recall them, no. I remember them

1 dumping up on Western Avenue. That's got  
2 nothing to do with this though.  
3 Q. Weston, is that what you're saying?  
4 A. No, Western.  
5 Q. Western?  
6 A. That would be the Western Avenue Dump.  
7 Q. And that was another one of the city dumps?  
8 A. Another one of the city dumps, yeah.  
9 Kuhlman's is built there right now, Kuhlman  
10 Cement Products.  
11 Q. What did the trucks look like on Western  
12 Avenue?  
13 A. What trucks are you --  
14 Q. The trucks from Libbey-Owens-Ford Glass.  
15 A. Oh, they had a stake truck. Just most of  
16 them carried probably a 7 by 14 or 16-foot  
17 long stake truck. The sides would be about  
18 3 1/2 to 4-foot high.  
19 It was just general scrap I imagine,  
20 you know, from Libbey, their sweepings or  
21 cartons and stuff like that, but I don't  
22 remember no waste oil or nothing, not from  
23 them.  
24 Q. Or liquids?

1 A. Or liquid, no.  
2 Q. What about Owens-Illinois, do you remember  
3 Owens-Illinois at either the Stickney or  
4 the Tyler Landfill?  
5 A. No, I don't. I can't remember.  
6 Q. Would you have any knowledge, if a  
7 commercial hauler was bringing in waste  
8 would you know where that commercial hauler  
9 got the waste, for instance Community  
10 Sanitation Services?  
11 A. Oh golly, no.  
12 Q. So, you don't --  
13 A. Again this is all hearsay, they used to  
14 pickup from supermarkets, whatever a  
15 supermarket would discard, you know. I  
16 don't know what could that be, anything  
17 from produce to cartons.  
18 Q. So is it possible that waste may have come  
19 in from Owens-Illinois hauled by a  
20 commercial hauler?  
21 A. Oh, I wouldn't have no way of knowing that  
22 or even proving or even suggesting that,  
23 no.  
24 Q. Are you familiar with Allied Chemical

1 Corporation or the Glendale Plant?  
2 A. Yeah. Yeah, okay, Allied Chemical?  
3 Q. Yes.  
4 A. Uh-huh.  
5 Q. Did you ever see them dumping at either  
6 Stickney or Tyler?  
7 A. They might have, but I can't recall that.  
8 Q. You don't remember any trucks that said  
9 Allied Chemical or --  
10 A. Well, yeah, I remember trucks now, but I  
11 mean what they were bringing in. I've seen  
12 them, you know, into travel. I knew where  
13 they were located, now that you mention it,  
14 by the railroad tracks there on Glendale.  
15 Q. But I'm talking about did you see them  
16 dumping any waste at Stickney or Tyler?  
17 A. No, not that I can, no, my memory won't  
18 serve me on that.  
19 Q. Electric Auto-Lite?  
20 A. Electric Auto-Lite? Yeah, that was earlier  
21 though, gees. Yeah.  
22 Q. Do you remember them dumping at --  
23 A. No, I'm thinking of Willys-Overland. No, I  
24 don't remember Electric Auto-Lite coming

1 in.  
2 I'm trying to think what year they  
3 closed up over there, you know. Was it --  
4 but I don't remember them out in the dumps  
5 at all.  
6 Q. What do you remember about Willys-Overland?  
7 A. Well, they dumped continuously. They had  
8 one of the bigger trucks. They probably  
9 had about a 20-foot stake truck, you know,  
10 which would be about 7-foot wide and 4-foot  
11 sides, and just general rubbish, you know,  
12 just cartons and papers and boxes and, you  
13 know, where he would just dump it and hit  
14 the hydraulic and away he'd go, you know, a  
15 lot of papers, you know, a lot of office.  
16 Q. Did they dump at both Stickney and Tyler?  
17 A. Well, I remember them mostly on Tyler  
18 Street. They might have come in on  
19 Stickney and again I don't, it's just, they  
20 might have had another, I think by that  
21 time they had a commercial hauler doing it  
22 because they used to haul their own. They  
23 had their own truck.  
24 I know later on, maybe in the later

1 '50's, that guy lost his job and as far as  
2 hauling it in to the dump I think they had  
3 a commercial hauler. Now, which one was  
4 hauling for Willys I don't know. I don't  
5 remember.  
6 Q. What color was the truck?  
7 A. Well, to me, if I can remember, it's sort  
8 of like reddish, brownish. They had two  
9 stake trucks that I remember.  
10 Q. And was it lettered Willys-Overland?  
11 A. You know, I don't remember if it had Willys  
12 or it had Jeep or something on it. It had  
13 markings on it and I just can't remember  
14 what they had on them.  
15 Q. Did they bring anything other than paper or  
16 general trash?  
17 A. No.  
18 Q. Did you ever see them bring in drummed  
19 liquids?  
20 A. No.  
21 Q. To your knowledge they never brought  
22 liquids to the landfills?  
23 A. No, not Jeep.  
24 Q. Did they have floor sweepings in their

1 trash?  
2 A. Well, that's hard to say. I don't know  
3 what they had in it. I can't say that.  
4 I imagine it was trash naturally, you  
5 know. It would almost have to be I  
6 imagine. If they were coming out with  
7 their scrap I imagine there might have been  
8 floor sweepings in it, you know, but I  
9 can't --  
10 Q. You don't remember seeing the floor  
11 sweepings?  
12 A. No, I would have no way of knowing, you  
13 know, even if it was, you know.  
14 Q. Allied Signal?  
15 A. No.  
16 Q. You don't ever remember seeing them either  
17 at Stickney or at Tyler?  
18 A. No, offhand I can't say, no.  
19 Q. There's a Bendix Auto-Lite plant. I think  
20 there's a plant in Fostoria and one also in  
21 Toledo, a smaller plant in Toledo. Are you  
22 familiar with Bendix Auto-Lite?  
23 A. No.  
24 Q. Prestolite Battery or Prestolite Battery

1 Division?  
2 A. I remember something about Prestolite.  
3 Q. What do you remember about them?  
4 A. You know, I can't even remember what they  
5 brought out or what. Maybe just the name  
6 is --  
7 Q. Do you remember seeing them at either the  
8 Stickney or Tyler Landfill?  
9 A. No, I can't honestly say that I seen them  
10 there, not that I remember.  
11 Q. Toledo Stamping & Manufacturing?  
12 A. I know who they are, but I'm trying to  
13 think whether they brought anything up.  
14 They might have, but I can't recall.  
15 Q. Do you recall if they brought any liquids  
16 to either the Stickney or Tyler Landfill?  
17 A. No, I can't even remember them coming out.  
18 So I don't know what they would, if they  
19 brought something out I don't really know  
20 what, you know. I know the plant because  
21 it's not too far from the area of Tyler  
22 Street, you know.  
23 Q. When companies like Textileather or DuPont  
24 would bring liquids or sludges to the site

1 did they open the drums up or were the  
2 drums buried at the landfill?  
3 A. Well, some of the drums was buried at the  
4 landfill, but you're talking about two  
5 different. I don't remember DuPont  
6 bringing in any drums. I mean I remember  
7 DuPont bringing just that tanker that I  
8 told you. The drums is from Textileather.  
9 Q. And Textileather would leave drums at the  
10 landfill?  
11 A. Well, some of the stuff that wouldn't come  
12 out, you know, then they'd just kick the  
13 drum and that gook right over, you know.  
14 You just bulldoze or push the drum and the  
15 gook right over, you know, right in that  
16 trench or in that hole.  
17 Q. Are you talking about the bend in the  
18 Tyler, excuse me, in the Ottawa River at  
19 Tyler Street?  
20 A. At the Tyler Street, yeah.  
21 Q. Did they also dispose of drums at Stickney  
22 Avenue?  
23 A. Well, they dumped out there, yeah, and they  
24 dumped the same gook. I imagine there's

1 got to be drums in there because the stuff  
2 didn't come out they'd just let the drum  
3 go, you know.  
4 Q. Anybody else bring drums to the site?  
5 A. Well, maybe a construction company would  
6 come, maybe had like wood and stuff, we'd  
7 empty the drum out, you know, but not as  
8 far as liquid. No, I don't remember  
9 anybody else bringing any liquid out in a  
10 drum, you know, not at Stickney, other than  
11 Textile.  
12 Q. Okay, and so the main place on either  
13 landfill that you would have had drums  
14 would be this bend in the river?  
15 A. If you're referring to Tyler Street, yeah.  
16 Q. Yes.  
17 A. Yeah.  
18 Q. And on Stickney where would they be?  
19 A. Well, they'd more or less dump up on the  
20 sand hill. You'd have to know the area,  
21 you know, visually in your mind to know  
22 where it was at because there was like a  
23 sand hill up there and they would dump up  
24 there and it would be easier for the

1 bulldozer to take and just shove it over  
2 and then shove some sand over it, you know,  
3 make another platform for him to get back  
4 up there to dump for the next time or the  
5 next day.  
6 Q. Are you familiar with Plaskon Electronic  
7 Materials?  
8 A. Plaskon?  
9 Q. P-l-a-s-k-o-n?  
10 A. Yeah, I think I know where they are. They  
11 used to be up on the Anthony Wayne Trail,  
12 but I don't remember them -- I think they  
13 came out on Western Avenue Dump. That's --  
14 Q. They had their own trucks?  
15 A. Yeah.  
16 Q. But you don't remember seeing them at  
17 Stickney or Tyler?  
18 A. No. No, not on Stickney I don't.  
19 Q. Is it possible that they utilized a  
20 commercial hauler?  
21 A. Well, they could have. I can't answer  
22 that.  
23 Q. What did their trucks look like?  
24 A. Well, again, most of them had like stake

1 trucks, you know, 7-foot wide, 16 to  
2 18-foot long.  
3 I'm probably wrong, but to me for some  
4 reason I think they had like a cream  
5 colored truck the cabs were --  
6 Q. Were the trucks --  
7 A. Pardon?  
8 Q. I'm sorry, go ahead and finish your  
9 sentence.  
10 A. Well, the truck, the cab, the truck, you  
11 know, not the stake body. The stake bodies  
12 generally were, you know, like black, you  
13 know, because that was the part that they  
14 threw the rubbish in, but it seemed like  
15 they had like more of a cream colored  
16 truck, you know. I'm pretty sure they had  
17 writing on them, but then again that's  
18 vague.  
19 Q. Would you know the name of anybody that  
20 might have more information about Plaskon's  
21 waste disposal?  
22 A. No, none whatsoever.  
23 Q. Did you see them ever dumping liquids at  
24 the Western Avenue Dump?

1 A. No. If my memory serves me right it was  
2 more like a powdery stuff that they were  
3 dumping.  
4 Q. Are you familiar with General Tire & Rubber  
5 Company?  
6 A. You're talking about Textile. That's who  
7 that is. That's back in the same because  
8 there for a while I didn't know, you know,  
9 if it was called Textile or General Tire.  
10 It's all the same place.  
11 Q. What would the trucks that came out from  
12 either Textile or General Tire say on them?  
13 Do you remember?  
14 A. The one that Floyd was dumping, using, I  
15 don't think they even had a name on the  
16 side. Of course, like I said, I knew Floyd  
17 and I knew Peanuts personally, you know,  
18 but I think later on, later on I think they  
19 did have a truck with General Tire on the  
20 side of it.  
21 Q. What was Floyd's last name?  
22 A. Oh, I have no idea. I couldn't tell you  
23 Peanuts' last name either other than he  
24 lived I think on Hudson Street off of

1 Stickney.  
2 Q. I assume Peanuts was a nickname?  
3 A. Yes.  
4 Q. Do you know what his real name was?  
5 A. No.  
6 Q. Do you remember the General Tire & Rubber  
7 Company truck coming to either Stickney or  
8 Tyler?  
9 A. Yeah, but I can't figure out which one. I  
10 think it was later on. It would have to be  
11 Stickney because I don't think it became  
12 General Tire until later in the '50's, way  
13 later.  
14 Q. I think that changed in approximately, at  
15 least the ownership change I think was  
16 about in 1954.  
17 A. Yeah.  
18 Q. So Tyler was still operating in 1954.  
19 A. Well, then -- no. I can picture Floyd and  
20 Peanuts in that old stake truck. I don't  
21 remember no General Tire there, but I  
22 remember seeing General Tire on the sides  
23 of their truck and it would probably be  
24 more like Stickney, coming out to Stickney.

1 Q. On the side of which truck?  
2 A. On General Tire, which would still have  
3 been --  
4 Q. Was that Floyd and Peanuts or was that  
5 someone else?  
6 A. I don't know if Floyd was driving that new  
7 one there or somebody. It probably was  
8 Floyd. It was probably them driving that  
9 truck because that other truck already was  
10 getting pretty old in years, you know.  
11 Q. But you think that that truck said General  
12 Tire & Rubber as opposed to Textileather?  
13 A. Yeah, I can vaguely picture them.  
14 Q. Do you remember what color it might have  
15 been?  
16 A. To me I think that was cream colored also.  
17 Q. Can you think of anything else to add  
18 about, other than what you've already told  
19 me, about the waste at Textileather or  
20 General Tire & Rubber?  
21 A. No, just this dope and this pukey, smelly  
22 stuff that they were dumping out there in  
23 multiple colors, you know, but there was  
24 other waste now. Yeah, they dumped like

1 part rolls of textile itself, you know,  
2 like whatever the goods is, you know.  
3 Maybe part rolls or something or maybe it  
4 was --  
5 Q. Pot rolls?  
6 A. Part rolls, part, you know, not a full roll  
7 of textile leather like for convertible  
8 tops or stuff, you know. Maybe it was  
9 soiled or it was marked, you know. It was  
10 still on that tube, you know, like you get  
11 linoleum or a rug, you know how that is,  
12 but and then general waste.  
13 Q. Did you see floor sweepings from  
14 Textileather?  
15 A. No, I couldn't answer where they got the  
16 stuff from. I can't answer that. I don't  
17 know.  
18 Q. Did anytime when they put the rolls of  
19 material out there did it ever look like it  
20 was a bad batch or just partially cured?  
21 A. No. Partially soiled because people used  
22 to come over there and unroll it and take a  
23 lot of that stuff home and cover their  
24 chairs up with it because you could get

1 good pieces out of it, you know.  
2 Q. So it was just maybe had some, was  
3 discolored or had some dirt on it or  
4 something?  
5 A. Yeah, rejected, just rejected for some  
6 reason, you know, not known to us why they  
7 rejected it, but it just wasn't good  
8 material. They would just throw it out.  
9 Q. It wasn't like gummy or rubbery or  
10 something?  
11 A. Oh, no.  
12 Q. To your knowledge how many plants did  
13 DuPont have?  
14 A. Oh golly, I have no idea. The only one  
15 DuPont place that I knew was on Matzinger,  
16 Matzinger and Stickney.  
17 Q. Are you familiar with another one on  
18 Tremainsville?  
19 A. Oh, yeah, right. Okay, there is one on  
20 Tremainsville. Okay, now I got you, yeah.  
21 Q. Do you know whether they dumped from both  
22 plants at Stickney and Tyler?  
23 A. No.  
24 Q. Did they have the same kind of operations



1 at both plants to your knowledge?  
 2 A. No, the only thing about DuPont is about  
 3 the tanker and as far as any other like  
 4 office waste or cartons or industrial waste  
 5 from either plant I don't remember anything  
 6 about them bringing any kind out or what  
 7 kind of truck they even had, or if they  
 8 even came out.  
 9 Q. Okay, and you don't know whether the tanker  
 10 came from the Matzinger plant or the  
 11 Tremainsville plant?  
 12 A. No, I just assumed that it came from  
 13 Matzinger.  
 14 Q. Are you familiar with Dana Corporation or  
 15 Spicer Manufacturing?  
 16 A. Uh-huh.  
 17 Q. Did you ever see them dumping waste at  
 18 either Stickney --  
 19 A. Yeah, they came out. Yeah, it was general  
 20 shop waste, solids.  
 21 Q. What do you mean by general shop waste?  
 22 A. Like papers, cardboards, office, whatever,  
 23 empty cartons, maybe wood crates or  
 24 something that something came in and they'd

1 just dispose of that.  
 2 Q. Okay, any floor sweepings?  
 3 A. Now, when you get to floor sweepings I  
 4 would have no knowledge of knowing anything  
 5 about where they came from.  
 6 Q. What did the Dana trucks look like?  
 7 A. I can't remember, but I know in my memory I  
 8 could just see them out there. I have no  
 9 idea what they, you know, they don't light  
 10 up like the Textile's and ones that came,  
 11 you know, that often.  
 12 Q. Dana didn't come that often?  
 13 A. No.  
 14 Q. To your knowledge did they dump at both  
 15 Stickney and Tyler?  
 16 A. I can't even -- I know they were at Tyler.  
 17 I can't trust my memory on the Stickney  
 18 part as far as they were out there.  
 19 Q. Did you see them dump any liquids or  
 20 drummed waste?  
 21 A. No. No liquids, no.  
 22 Q. Are you familiar with Toledo Edison?  
 23 A. Yeah.  
 24 Q. Did they dump at either the Stickney or

1 Tyler Landfills?  
 2 A. The only one that I remember them dumping  
 3 is they would dump in the, well, they  
 4 brought general waste in, but they also  
 5 dumped their transformers at Tyler Street.  
 6 Q. They only dumped the transformers at Tyler?  
 7 A. That's the only ones that I remember them,  
 8 yeah.  
 9 Q. And who would bring their transformers out  
 10 there?  
 11 A. Well, the Toledo Edison.  
 12 Q. You would see a Toledo Edison truck?  
 13 A. Toledo Edison truck, yeah.  
 14 Q. What did their trucks look like?  
 15 A. I think they had a stake truck also.  
 16 Q. Do you remember what color they may have  
 17 been?  
 18 A. No, I don't. No, as far as color I can't  
 19 remember that.  
 20 Q. How do you know it was from Toledo Edison?  
 21 A. Well, there again it was just hearsay.  
 22 Toledo Edison truck brought it so.  
 23 Q. Did the truck say Toledo Edison on it?  
 24 A. Yeah.

1 Q. How often did they dump transformers at  
 2 Tyler?  
 3 A. Oh, that's hard to say. You know, it  
 4 wasn't like an everyday kind of thing. I  
 5 don't know how many they accumulated that  
 6 they disposed of, but --  
 7 Q. Once a week?  
 8 A. Oh, no. No, if they brought --  
 9 Q. Every six months?  
 10 A. If they brought some out I don't know, you  
 11 know, exactly a number. I don't remember a  
 12 number. Maybe they'd bring a load and  
 13 maybe we wouldn't see them four or five  
 14 months with that particular transformers,  
 15 you know.  
 16 But as far as their trucks, yeah, the  
 17 truck would come in with just general  
 18 waste, cardboard, wood, you know,  
 19 different, maybe sweepings or what. I  
 20 don't know.  
 21 Q. I'd like you to concentrate on how often  
 22 the transformers came in.  
 23 A. Well, that's so long ago I couldn't. I  
 24 know the junk yards, the junk men used to

1 go in there. I guess there's copper inside  
 2 if you take them apart, you know. They  
 3 used to go and get that stuff out of there,  
 4 that liquid or whatever was inside of it,  
 5 you know, burn that off and I guess there's  
 6 copper coils in there, you know, but how  
 7 often I couldn't or how many I couldn't  
 8 tell you.  
 9 Sometimes I'd go back over there and  
 10 see where the bums would be out there in  
 11 their shanties and you'd see a pile of them  
 12 out there, but how many, like maybe  
 13 fifteen, twenty of them was out there, you  
 14 know, would be out there working on them.  
 15 Q. Were they dumped in any particular area of  
 16 the Tyler Street Dump?  
 17 A. Yeah, they were dumped off of the dump,  
 18 more or less off the dump area, more like  
 19 on solid ground for some reason. Now, is  
 20 it for -- maybe because, you know, at that  
 21 era there was a salvage man there, Al  
 22 Rosen, and anything that had anything to do  
 23 with salvage, you know, he had a contract  
 24 with the City of Toledo that he got all the

1 metals and, you know, and the scraps and so  
 2 forth out of the city dump. So it might  
 3 have been put for him because he used to  
 4 have guys working on them, you know,  
 5 getting that copper out.  
 6 Q. Okay, but when they would bring  
 7 transformers do you know how many there  
 8 might be?  
 9 A. No. Like I said, maybe it could be fifteen  
 10 or twenty.  
 11 Q. How big were they?  
 12 A. Oh, they vary in size, but they must be  
 13 about 2 1/2-foot high and maybe about, oh,  
 14 12 inches or maybe 18 inches around.  
 15 Q. Were there ever any large transformers that  
 16 were placed out there?  
 17 A. Well, to me those were rather large that,  
 18 you know, anything larger than that, no, I  
 19 didn't see anything.  
 20 Q. Do you think that these transformers had  
 21 PCB's in them?  
 22 A. That's what I was told. That's hearsay.  
 23 Q. Who told you that?  
 24 A. Just the word around. Nobody in particular

1 come and said, hey, Norm, that's got PCB's.  
 2 It's just the word was out that it had  
 3 PCB's in it. That's later on now, not at  
 4 the time we were doing it, at the time that  
 5 this was all over with. I didn't know  
 6 nothing about PCB's and I don't know if  
 7 anybody else knew anything about PCB's at  
 8 that era.  
 9 Q. The liquid that they would drain out of it,  
 10 what did the liquid look like?  
 11 A. Oh, I couldn't even tell you that.  
 12 Q. Do you remember what color it may have  
 13 been?  
 14 A. Huh-uh. I guess it's like, what I was  
 15 told, it's like an oily, you know, almost  
 16 like clean oil before you put it in your  
 17 car, more of an oily kind of color or brown  
 18 but clear, you know.  
 19 Q. Anything else you remember about the liquid  
 20 or the transformers, what they looked like?  
 21 A. No. We didn't stick around there that  
 22 much.  
 23 Q. Was there anyone else that might have any  
 24 more knowledge about Toledo Edison's

1 disposal of transformers?  
 2 A. Yeah, it would be that Al Rosen, but, hell,  
 3 he'd have to, that man at that time was in  
 4 his 60's. You're talking thirty years ago.  
 5 Q. Probably not around?  
 6 A. No.  
 7 Q. Anyone else to your knowledge, anyone from  
 8 Toledo Edison?  
 9 A. Not to my knowledge.  
 10 Q. Did the city have contracts with any other  
 11 companies to operate either the Stickney or  
 12 Tyler landfills?  
 13 A. No. No, no contractor operated the  
 14 landfills or any of them, not in my time.  
 15 Other than the guy that had the salvage  
 16 rights, but that's got nothing to do, he  
 17 had nothing to do with the operation.  
 18 Q. So the only individuals you knew that had  
 19 any contracts with the city about the dumps  
 20 was this Mr. Rosen who had salvage rights?  
 21 A. Right.  
 22 Q. Are you familiar with AP Parts  
 23 Manufacturing?  
 24 A. Yeah, I know who they are, and I'm almost

1 certain that they brought stuff out.  
 2 Q. Where did they bring it?  
 3 A. That would have to be Tyler Street, but  
 4 that's just general, just general waste  
 5 though, meaning cardboard, paper, wood,  
 6 stuff like that.  
 7 Q. Did you ever see them bring drummed  
 8 liquids?  
 9 A. No.  
 10 Q. Floor sweepings?  
 11 A. No.  
 12 Q. Would you know whether they brought floor  
 13 sweepings?  
 14 A. No, I wouldn't have no idea whether, you  
 15 know, where they put their floor sweepings,  
 16 you know, on the bottom of the truck or  
 17 maybe in one of those cartons that they  
 18 threw off.  
 19 Q. Did they dump at Stickney?  
 20 A. I imagine they was out at Stickney. I  
 21 don't -- that's so vague that that could be  
 22 one way or the other on that with AP Parts  
 23 though, you know.  
 24 Q. What did their truck look like?

1 A. Oh, I think they had a stake truck too.  
 2 Q. Do you remember what the color of the cabs  
 3 may have been?  
 4 A. No.  
 5 Q. How did you know it was for AP Parts?  
 6 A. Well, they had AP Parts on, written right  
 7 on the side. To me it seemed like it would  
 8 be red, but that's just guessing.  
 9 Q. Is that red lettering or --  
 10 A. No, red truck, red cab. The letter I  
 11 couldn't tell you. The lettering could be  
 12 maybe black or white or something. I  
 13 wouldn't know.  
 14 Q. Do you know anyone else that might have  
 15 knowledge about AP Parts Manufacturing?  
 16 A. No.  
 17 Q. Their waste disposal?  
 18 A. Huh-uh, I have no idea who even handles  
 19 their waste out of there or who takes it  
 20 out.  
 21 Q. And again if they contracted with a  
 22 commercial hauler to haul other types of  
 23 waste other than its general office waste  
 24 you wouldn't have any knowledge about that?

1 A. No, I wouldn't have any knowledge. I  
 2 wouldn't know who. No, none at all.  
 3 Q. Is that true for all the companies, you  
 4 didn't know who the commercial haulers were  
 5 hauling for?  
 6 A. No.  
 7 Q. So you only knew about a particular company  
 8 if you saw their truck in the landfill, is  
 9 that correct?  
 10 A. Yeah, the best I can remember now, yeah,  
 11 right.  
 12 Q. Did you ever see The Toledo Blade dispose  
 13 of waste at either the Tyler or the  
 14 Stickney Dump?  
 15 A. No, I can't recall that.  
 16 Q. Do you remember disposal of barrels of ink?  
 17 A. No.  
 18 Q. You've talked some about Sun Oil. Is there  
 19 anything else that you can remember about  
 20 Sun Oil or Paul Jeffers' operations with  
 21 Sun Oil?  
 22 A. Huh-uh.  
 23 Q. Are you familiar with Champion Spark Plug's  
 24 disposal of waste at either Stickney or

1 Tyler?  
 2 A. No. I know who Champion Spark Plug is, but  
 3 I imagine they've been out but I can't  
 4 honestly say for sure, you know, if they  
 5 were, you know, or what they brought out.  
 6 I seen Champion Spark Plug, you know, with  
 7 their stake trucks ride around the city,  
 8 you know, but as far as coming to dump I  
 9 can't even recall them coming into the  
 10 dump.  
 11 Q. But it is possible that they had a  
 12 commercial hauler?  
 13 A. They could have. I would have no way of  
 14 knowing.  
 15 Q. What about Chevron or Gulf Oil?  
 16 A. No, neither one, anything of them, no.  
 17 Q. BASF Inmont, are you familiar with their  
 18 dumping either at the Stickney or the Tyler  
 19 Landfills?  
 20 A. Inmont Chemical? Is that a textile  
 21 operation?  
 22 Q. I'm not sure what their operation is. It  
 23 could have been called Inmont Chemical.  
 24 A. Yeah, okay, if it's called Inmont Chemical

1 the only place that I can remember them  
2 coming out they brought stuff out like  
3 Textile, but like old rejected textile  
4 goods and general waste, you know.  
5 Q. Well, Textile you had testified also  
6 brought out a lot of waste in drums. Did  
7 Inmont also bring out waste in drums?  
8 A. I don't remember them bringing out anything  
9 waste in drums, you know, not like Textile,  
10 no.  
11 Q. Just general trash?  
12 A. Just general trash, yeah.  
13 Q. Did they dump both at Stickney and at  
14 Tyler?  
15 A. I don't remember them ever being over --  
16 Q. You don't remember them?  
17 A. No, not that other than the Western Avenue  
18 Dump.  
19 Q. Oh, the Western Avenue Dump?  
20 A. Yeah.  
21 Q. But you don't remember them at Stickney or  
22 Tyler?  
23 A. I can't recall them even being over there.  
24 Then again they might have had a commercial

1 hauler after that too and somebody else was  
2 picking it up and disposing of it somewhere  
3 where we wouldn't even have any knowledge  
4 of it then, yeah. They could have brought  
5 it in, but who knows, you know.  
6 Q. What years did the Western Avenue Dump  
7 operate?  
8 A. That was in the '50's.  
9 Q. Were Western Avenue and Tyler operating at  
10 the same time?  
11 A. Western was going the same time Tyler and  
12 Consaul Street was going, yeah, all three  
13 of them.  
14 Q. Consaul Street, how do you spell that?  
15 A. Consaul, C-o-n-s-a-u-l, Consaul.  
16 Q. Okay, and those dumps were all open at the  
17 same time?  
18 A. Yeah, plus there was other little, several  
19 little ones around too, you know. You  
20 know, like Tracy Dump, that was open, that  
21 was over there down by the roundhouse there  
22 over on Oak and Oakdale.  
23 Q. Okay, were Consaul, Western and Tyler all  
24 open to municipal waste?

1 A. Yeah.  
2 Q. Were they all open to industrial waste?  
3 A. Yes.  
4 Q. Do you remember seeing Doehler-Jarvis at  
5 either the Stickney or Tyler Landfills?  
6 A. Yeah, I do, but, you know, it's like I  
7 don't know what they brought out. I'm not  
8 even too sure if I remember them out there.  
9 I know of them because I see their  
10 trucks around, you know, so many different  
11 places, but I don't specifically remember  
12 them coming out.  
13 Q. Okay, NL Industries?  
14 A. No, none whatsoever. I don't even know, I  
15 never heard of them.  
16 Q. Are you aware of any connection between NL  
17 Industries and Doehler-Jarvis?  
18 A. No, other than NL has to stand for National  
19 Lead. I imagine that's what, because  
20 that's what, isn't that what they used to  
21 go under, National Lead?  
22 Q. Sir, I don't know.  
23 A. Well, I don't know either. That's just a  
24 guesstimate there too.

1 Q. Sinclair Manufacturing?  
2 A. No. No, nothing.  
3 Q. Purex?  
4 A. No, don't even ring a bell.  
5 Q. Dow Chemical?  
6 A. Nope.  
7 Q. Earl Scheib Auto Painting?  
8 A. No. I know who they are, but, no, I don't  
9 remember them ever coming out.  
10 Q. Again, with all these entities it's  
11 possible that they may have had a  
12 commercial hauler?  
13 A. Well, I suppose, yeah. You know they did.  
14 I mean they had to get rid of their waste  
15 somehow, one way, shape or form, you know.  
16 Q. But to your knowledge they didn't run their  
17 own trucks?  
18 A. No, not that I can remember.  
19 Q. Ferro, F-e-r-r-o?  
20 A. Huh-uh.  
21 Q. General Electric?  
22 A. No.  
23 Q. GTE, General Telephone?  
24 A. No, I don't remember them coming out

1 either.  
2 Q. General Motors?  
3 A. No.  
4 Q. Are you aware that they had a plant on  
5 Central Avenue, I think it was the  
6 powertrain plant? Does that ring any  
7 bells?  
8 A. No, not on Central Avenue. The only  
9 powertrain for General Motors that I know  
10 of is on Alexis.  
11 Q. Okay, so you're aware of a plant, but you  
12 don't remember seeing them --  
13 A. No, not as far as using the dump  
14 facilities, no.  
15 Q. Either Stickney or Tyler?  
16 A. No.  
17 Q. Do you remember them at any of the other  
18 city facilities?  
19 A. Huh-uh.  
20 Q. Illinois Tool Works?  
21 A. No, never heard of that one.  
22 Q. Goodyear?  
23 A. Huh-uh.  
24 Q. Now, I have an entity called Inland

1 Chemical. Do you know whether when you're  
2 talking about Inmont Chemical whether it  
3 was Inmont or Inland?  
4 A. I always thought it was Inland Chemical.  
5 Q. Inland?  
6 A. Yeah, but I could --  
7 Q. So you don't remember an Inmont?  
8 A. It rings a bell, but I don't know. What,  
9 are they two of the same or what I couldn't  
10 tell you.  
11 Q. I think they're separate companies.  
12 A. Are they? No, then I don't.  
13 Q. So that when you testified about Inmont  
14 Chemical do you think it was Inmont or  
15 Inland?  
16 A. I think it was Inland. I thought that's  
17 what I said.  
18 Q. Then we must have misunderstood each other.  
19 I thought I was asking questions about  
20 Inmont.  
21 Okay, Incorporated Crafts, Inc.?  
22 A. No, don't even ring a bell.  
23 Q. An entity called Koppers, K-o-p-p-e-r-s?  
24 A. Huh-uh.

1 Q. Toledo Scale?  
 2 A. No.  
 3 Q. Sherwin-Williams?  
 4 A. I know they're a paint company, but I don't  
 5 recall them coming out with any kind of  
 6 markings or any kind of, anything that I  
 7 would remember them, you know, no, none  
 8 whatsoever.  
 9 Q. Plabell Rubber?  
 10 A. Huh-uh.  
 11 Q. Again, all these entities could have had a  
 12 commercial hauler?  
 13 A. I imagine they could have, yeah. I don't  
 14 know. Yes, like anybody else you've got to  
 15 get rid of your waste in some way, somehow.  
 16 Q. American Propeller or Teledyne?  
 17 A. No. I know who they are, but nothing to do  
 18 with dumping facilities.  
 19 Q. Okay, Surface Combustion Company?  
 20 A. Yeah, that's on Dorr Street, but I don't  
 21 remember anything about them, not as far as  
 22 dumping.  
 23 Q. Perstorp, I think it's P-e-r-s-t-o-r-p?  
 24 A. Yeah, isn't that a division of, aren't they

1 connected with DuPont? They're built right  
 2 alongside of DuPont there on Matzinger.  
 3 Q. I'm not sure whether they're a division of  
 4 DuPont.  
 5 A. Well, I don't know either. I'm just, you  
 6 know, guesstimating on something like that  
 7 because they're built so close. There's  
 8 DuPont, then it looks like right on the same  
 9 piece of property is that Perstorp, but I  
 10 don't remember them no way at all using any  
 11 facilities.  
 12 Q. DeVilbiss?  
 13 A. Yeah, I think we went through them.  
 14 DeVilbiss, the one that brought out that  
 15 milky stuff in the drums. Remember I was  
 16 telling you about it?  
 17 Q. I thought that was DuPont or Textileather?  
 18 A. No.  
 19 Q. Well, tell me again, sir, what did  
 20 DeVilbiss bring to the -- did they bring  
 21 both to Stickney and Tyler?  
 22 A. No, I just remember them on Tyler.  
 23 Q. And what waste did they bring to Tyler?  
 24 A. General waste, just cartons, boxes and

1 stuff that was in a drum looked like a  
 2 milky solution. I guess what I was told is  
 3 that that milky solution was to keep the  
 4 die from burning up, you know, like a  
 5 plumber putting oil when he's cutting a  
 6 die, you know.  
 7 Now, whether that had any kind of  
 8 contaminant or anything I don't know, but  
 9 they had drums of that, not many, but every  
 10 so often they'd bring some of that out.  
 11 Q. How often is every so often?  
 12 A. I don't know, maybe once a week, maybe a  
 13 couple of them or maybe six. I don't know.  
 14 You know, you don't stand there and watch  
 15 what they bring out. You're here and  
 16 they're out there dumping.  
 17 Q. You don't know how many drums they would  
 18 bring out?  
 19 A. No.  
 20 Q. What color was it? Was it a milky color?  
 21 A. Yeah, that definitely was white.  
 22 Q. Was it sticky?  
 23 A. Like milk.  
 24 Q. It was like milk?

1 A. Oh, I don't know if it was sticky. I never  
 2 got around to --  
 3 Q. Did they have a hard time getting it out of  
 4 the drums?  
 5 A. No. No, more liquified.  
 6 Q. It was liquid?  
 7 A. Yeah.  
 8 Q. It was more of a liquid than a sludge?  
 9 A. Right. Oh, yeah, that would come right  
 10 out, you know, just like emptying a can of  
 11 milk.  
 12 Q. How do you know it was from DeVilbiss?  
 13 A. Well, the truck said DeVilbiss and I knew  
 14 the guy. Walzak was the driver, John  
 15 Walzak, lived on Manhattan Boulevard.  
 16 He's deceased. They had a red stake truck.  
 17 Q. Okay, is there anyone else that would know  
 18 anything more about DeVilbiss' --  
 19 A. Not to my knowledge.  
 20 Q. -- waste disposal at the Stickney and Tyler  
 21 Dump?  
 22 A. No.  
 23 Q. I know you may know what I'm going to ask,  
 24 but I need to be able to finish the

1 question. It just makes for a cleaner  
 2 deposition, a cleaner transcript, because  
 3 this will be written down on paper  
 4 afterwards.  
 5 The University Of Toledo?  
 6 A. What about them?  
 7 Q. Do you know whether the University Of  
 8 Toledo disposed of waste at either the --  
 9 A. No, I don't ever remember no trucks, no  
 10 markings or anything coming out at either  
 11 place or anyplace.  
 12 Q. Acklin Stamping?  
 13 A. No. I know who they are, but, no.  
 14 Q. Not to your knowledge?  
 15 A. Not to my knowledge.  
 16 Q. Okay, City Auto Stamping?  
 17 A. I know who they are, but they might have  
 18 brought -- no, I don't know. I don't think  
 19 so. I can't recall them.  
 20 Q. Bunting Brass & Bronze Company?  
 21 A. I remember them dumping on Western Avenue  
 22 only. What they brought out I couldn't  
 23 even tell you for sure other than just  
 24 general waste, cardboard boxes and --

1 Q. Do you remember them at all at either  
 2 Stickney or Tyler?  
 3 A. Don't ever, don't ever remember them there.  
 4 Q. Okay, do you know of anyone else that might  
 5 be able to provide more information about  
 6 them?  
 7 A. No. No, none whatsoever.  
 8 Q. Continental Aviation & Engine Corporation?  
 9 A. No.  
 10 Q. Schultz Die Casting?  
 11 A. I know who they are, but I don't remember  
 12 them being out in any of the dumps.  
 13 Q. Unitcast Corporation?  
 14 A. No.  
 15 MS. ESTES: Go off the record  
 16 for just a minute, please.  
 17 (Off the record.)  
 18 Q. Mr. Czubek, do you remember the hospitals  
 19 dumping at either the Stickney or the Tyler  
 20 Landfill?  
 21 A. No, I don't.  
 22 Q. General Mills?  
 23 A. No.  
 24 Q. What about the Chrysler plant from

1 Perrysburg?  
 2 A. No.  
 3 Q. Do you remember any plant that sent in  
 4 fiberglass or asbestos in open boxes,  
 5 30-yard open boxes?  
 6 A. Not to my knowledge I don't. Not at this  
 7 time I don't remember anything about that.  
 8 Q. Are you familiar with an entity called  
 9 Matlock?  
 10 A. No, I'm not.  
 11 Q. What about Reickert?  
 12 A. No.  
 13 Q. Vallet Paint Services?  
 14 A. No.  
 15 Q. Ace Disposal Company?  
 16 A. No, I didn't know there was anything out  
 17 like that.  
 18 Q. Paxton Recycling?  
 19 A. Paxton Recycling?  
 20 Q. Yes, do you remember them in either the  
 21 Stickney or Tyler Landfills?  
 22 A. No, because they always had their own dump.  
 23 Q. Where was their dump?  
 24 A. Over there on Columbus.

1 Q. Columbus and what?  
 2 A. Just right off of Central Avenue. Central  
 3 goes into Columbus. As soon as you make  
 4 that curve that's all his property up there  
 5 so I would say Central and Columbus.  
 6 Q. Okay, did you ever observe their waste  
 7 disposal at Central and Columbus?  
 8 A. No, I had no business, no, I had no reason  
 9 to.  
 10 Q. Is there anyone else that, is there  
 11 anything else that I haven't covered, any  
 12 large companies that you remember dumping  
 13 at the Stickney or Tyler Landfills?  
 14 A. The ones that I told you is the only ones  
 15 that I do remember is Textile and that  
 16 Jeffers and the ones that I mentioned down  
 17 there. I forgot what I even told you, how  
 18 many companies I had right now.  
 19 Q. But no other company --  
 20 A. No, no other companies.  
 21 Q. -- sticks out in your mind?  
 22 A. No.  
 23 Q. Okay, is there anyone else that might be  
 24 able to give us more information?

1 A. Not at this time, no, nobody.  
 2 Q. No one other than who you've already  
 3 identified?  
 4 A. Right.  
 5 MS. ESTES: I think we're  
 6 through.  
 7 (Whereupon, the deposition was  
 8 concluded at 2:00 p.m.)  
 9 I, NORMAN J. CZUBEK, do hereby  
 10 certify that I have read the foregoing  
 11 transcript of my deposition given on  
 12 November 30, 1994, and that together  
 13 with the correction page attached  
 14 hereto, noting changes in form or  
 15 substance, if any, it is true and  
 16 correct.  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24

DATE

NORMAN J. CZUBEK

C E R T I F I C A T E

1 STATE OF OHIO }  
 2 COUNTY OF LUCAS } SS.  
 3 I, Philip H. Gaines, a Notary Public in  
 4 and for the State of Ohio, duly commissioned and  
 5 qualified, do hereby certify that the within-  
 6 named witness, NORMAN J. CZUBEK, was by me first  
 7 duly sworn to tell the truth, the whole truth,  
 8 and nothing but the truth in the cause aforesaid;  
 9 that the testimony then given by him was by me  
 10 recorded on audio cassette in the presence of  
 11 said witness, afterwards transcribed upon a word  
 12 processor, and that the foregoing is a true and  
 13 accurate transcription of the testimony so given  
 14 by him as aforesaid.  
 15 I do further certify that this deposition  
 16 was taken at the time and place in the foregoing  
 17 caption specified and was completed without  
 18 adjournment.  
 19 I do further certify that I am not a  
 20 relative, counsel, or attorney of any party or  
 21 otherwise interested in the event of this  
 22 action.  
 23 IN WITNESS WHEREOF, I have hereunto set  
 24 my hand and affixed my seal of office at Toledo,

1 Ohio, on this \_\_\_\_ day of December, 1994.  
 2  
 3  
 4 ~~PHILIP H. GAINES~~  
 5 ~~Notary Public~~  
 6 in and for the State of Ohio.  
 7 My Commission expires February 1, 1998.  
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1 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
2 77 WEST JACKSON BOULEVARD  
3 CHICAGO, ILLINOIS 60604-3590

4 IN THE MATTER OF:

5 Stickney/Tyler SACM Site No. V-W-96-C-320  
6 1900 Stickney Avenue  
7 Toledo, Ohio

8 Deposition of PAUL EUGENE DAUTERMAN, a  
9 Witness herein, called by the United States  
10 Environmental Protection Agency, Region 5,  
11 pursuant to the Comprehensive Environmental  
12 Response, Compensation, and Liability Act of 1980,  
13 42 U.S.C. 9601 et seq., as amended by the  
14 Superfund Amendments and Reauthorization Act of  
15 1986, Pub. L. No. 99-499, 100 Stat. 1613  
16 (1986) taken before me, the undersigned, Philip H.  
17 Gaines, a Notary Public in and for the State of  
18 Ohio, pursuant to Notice, at Gaines Reporting  
19 Service, 317 North Superior Street, Toledo, Ohio,  
20 on Tuesday, November 7, 1995, commencing at 11:25  
21 o'clock a.m.  
22  
23  
24

1 APPEARANCES:

2 On behalf of the USEPA:

3 UNITED STATES ENVIRONMENTAL  
4 PROTECTION AGENCY  
5 By: Assistant Regional Counsel  
6 Region 5  
7 77 West Jackson, CS-29A  
8 Chicago, Illinois  
9 (312) 886-7164  
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1 PAUL EUGENE DAUTERMAN,  
2 being first duly sworn as hereinafter certified,  
3 was deposed and testified as follows:

4 EXAMINATION

5 BY MS. ESTES:

6 Q. Good morning, Mr. Dauterman.

7 A. Good morning.

8 Q. My name is Sherry Estes. I'm an attorney  
9 with the U.S. Environmental Protection  
10 Agency, and we're here today pursuant to a  
11 subpoena under Section 122(h) of the  
12 Comprehensive Environmental Response  
13 Compensation and Liability Act. Do you  
14 acknowledge having received a copy of a  
15 subpoena commanding your presence today?

16 A. Yes, ma'am. It's right in my pocket there.

17 Q. Mr. Dauterman, can you state your full name  
18 and your address for the record, please?

19 A. If I can remember it: Paul Eugene  
20 Dauterman, 115 East Perry Street,  
21 Walbridge, Ohio. Oh, 43465.

22 Q. The purpose of this deposition is to  
23 investigate waste disposal at the Stickney  
24 and Tyler landfills. Do you understand

1 what I'm trying to do today?

2 A. Yes, ma'am.

3 Q. Are you a current employee of Community --  
4 No.

5 Q. -- Sanitation Service?

6 A. No, ma'am.

7 Q. Mr. Dauterman, even though you think you  
8 know where I'm going with a question, it's  
9 real important that you let the Court  
10 Reporter -- let me finish the question so  
11 that the Court Reporter can get everything  
12 down.

13 A. All right.

14 Q. Also, I usually do this in the  
15 introduction, but I kind of forgot for a  
16 minute. It's important that you answer a  
17 question verbally saying yes or no. You  
18 can't nod your head or shake your head or  
19 point, you have to speak your answer so  
20 that the Court Reporter will be able to get  
21 it down.

22 A. Yes, ma'am.

23 Q. Are you a current employee of  
24 Browning-Ferris International?

1 A. No, ma'am.

2 Q. Are you represented by counsel in this  
3 matter?

4 A. No, ma'am.

5 Q. You understood that you had the right to  
6 have counsel here today?

7 A. Yes, ma'am.

8 Q. Mr. Dauterman --

9 A. For the record, I never have worked for  
10 Browning-Ferris.

11 Q. You did work for Community Sanitation  
12 Service?

13 A. I worked for Community, yes.

14 Q. How far did you go in school, sir?

15 A. Twelfth grade.

16 Q. And what year did you graduate from high  
17 school?

18 A. 1946.

19 Q. What did you do after your graduation from  
20 high school?

21 A. After I graduated from high school? Worked  
22 at Libbey-Owens-Ford thermopane plant.

23 Q. What was the address of the plant that you  
24 worked at?

1 A. Dixie Highway, Rossford, Ohio.

2 Q. What did you do there?

3 A. I was a glass inspector and made thermopane  
4 windows, and I inspected the glass.

5 Q. Were you inspecting to make sure that the  
6 glass was up to certain specifications?

7 A. Well, that thermopane is two panes of  
8 glass, okay, and I was inspecting to see  
9 that the inside, there was no dirt or  
10 anything. That's all I was looking for, no  
11 -- nothing on the inside. If it was on the  
12 inside, I had no way of getting it out.

13 Q. So you were looking at what was in between  
14 the two panes of glass --

15 A. That's all I was --

16 Q. -- to make sure that was clean?

17 A. Yes, that was my job.

18 Q. What would you do with glass if you found  
19 something on the inside?

20 A. It was just broken up.

21 Q. It was disposed?

22 A. Sent back, yeah.

23 Q. Did you examine the glass for any other  
24 defects?

<p>7</p> <p>1 A. No.</p> <p>2 Q. Were there other inspectors that worked for Libbey-Owens-Ford at the time?</p> <p>3 A. Yes.</p> <p>4 Q. What did they inspect for?</p> <p>5 A. Probably bad workmanship or make sure there was no cracks or anything.</p> <p>6 Q. Was there any kind of strength tests that were done or did they look at them under any kind of magnification for defects?</p> <p>7 A. Not that I know of, no.</p> <p>8 Q. Where did -- go ahead.</p> <p>9 A. I didn't work there too long.</p> <p>10 Q. How long did you work there?</p> <p>11 A. Oh, probably nine months.</p> <p>12 Q. Oh, was that all?</p> <p>13 A. Yes.</p> <p>14 Q. Okay, all right. Sorry. Wouldn't have spent so much time on it.</p> <p>15 A. I had a lot of jobs.</p> <p>16 Q. Was this particular glass made with lead?</p> <p>17 A. I have no idea.</p> <p>18 Q. So you weren't familiar with the production process?</p>	<p>10</p> <p>1 A. 1544 West Alexis Road, Toledo, Ohio.</p> <p>2 Q. What type of machine did you run?</p> <p>3 A. I really can't tell you. Brigg presses, stamping machines, that type of thing.</p> <p>4 Q. Were these hydraulic presses?</p> <p>5 A. Yeah.</p> <p>6 Q. Do you know if they had PCB oil in them?</p> <p>7 A. No, I wouldn't. I wouldn't -- at that time I wouldn't of knew.</p> <p>8 Q. Were there leaks from the hoses that ran the presses?</p> <p>9 A. No.</p> <p>10 Q. You never had any leaks from the presses?</p> <p>11 A. No, we never had any.</p> <p>12 Q. Would you have a sweeping compound that was placed on the floor to take up any leaks?</p> <p>13 A. I don't remember any. I don't remember any leaks.</p> <p>14 Q. Did the metal come into the plant and then you pressed it into shape?</p> <p>15 A. Yeah.</p> <p>16 Q. The Martin Perry plant, did that plant fabricate the metal? Did it make the metal in the first instance, or was that shipped</p>
<p>8</p> <p>1 A. No, ma'am.</p> <p>2 Q. You just did the inspections?</p> <p>3 A. Yes.</p> <p>4 Q. And after you left Libbey-Owens-Ford, what did you do after that?</p> <p>5 A. I don't know, I jumped around. I had a job with the Department of Highways. Then I got a job with a plant called Martin Perry in Toledo.</p> <p>6 Q. What year was this approximately?</p> <p>7 A. Oh, '48, somewhere in there.</p> <p>8 Q. What did Martin Perry make?</p> <p>9 A. They made Rex Air sweepers.</p> <p>10 Q. I'm sorry?</p> <p>11 A. Rex Air sweepers.</p> <p>12 Q. Oh, is that the brand name?</p> <p>13 A. That was a brand name. And they made like a metal wall. It was like the paneling there, but it was metal and it could be snapped right into place.</p> <p>14 Q. So it was metal paneling that could be snapped into place?</p> <p>15 A. Yeah. You could take a, you know, like a big warehouse and you could snap an office</p>	<p>11</p> <p>1 in?</p> <p>2 A. That was shipped in.</p> <p>3 Q. What would happen if you had something that wasn't up to specifications? What would you do with it?</p> <p>4 A. What would I do with it?</p> <p>5 Q. Well, or what would you do with it or what did you see done with it?</p> <p>6 A. Probably went in the scrap box. It wasn't up to us.</p> <p>7 Q. What happened to the scrap box?</p> <p>8 A. Local junk dealer got it.</p> <p>9 Q. Was that sometimes placed in dumpsters and taken away by waste haulers?</p> <p>10 A. No. I would say it was put in just special dumpsters that the junk dealer come and got.</p> <p>11 Q. What did you use to clean the machinery with?</p> <p>12 A. I never cleaned a machine.</p> <p>13 Q. Did anyone clean the machines at that plant?</p> <p>14 A. Not that I know of.</p> <p>15 Q. You never saw solvent used to clean the</p>
<p>9</p> <p>1 right in there, you know, just as nice --</p> <p>2 it'd be as nice as something they'd build out of wood, you know. It was a lot easier.</p> <p>3 Q. What did you do for them?</p> <p>4 A. I just ran over the seams. Then in '50 something, during the Korean War we made Navy rockets. We didn't make -- all we did was make the aluminum shell about that long (indicating).</p> <p>5 Q. Approximately how long?</p> <p>6 A. Oh, approximately 28 inches long.</p> <p>7 Q. I need for you to -- see, I need for you to say that --</p> <p>8 A. Yeah.</p> <p>9 Q. -- rather than holding your hands apart. It's important that you indicate approximately how long.</p> <p>10 Q. Yeah, about 28 inches.</p> <p>11 Q. You worked for Martin Perry from 1948 until what year?</p> <p>12 A. '56. Then they sold the plant. They sold it to General Motors.</p> <p>13 Q. Where was that plant located?</p>	<p>12</p> <p>1 machine?</p> <p>2 A. No.</p> <p>3 Q. Were there ever any metal shavings left over from forming the metal pieces?</p> <p>4 A. Yeah, I've seen that.</p> <p>5 Q. What happened to the metal shavings?</p> <p>6 A. They were swept up and just thrown in the garbage.</p> <p>7 Q. And that would have been taken away by the waste hauler?</p> <p>8 A. Yeah, whoever it was. I don't have no idea who it was at that time.</p> <p>9 Q. So you have no idea who might have taken the waste?</p> <p>10 A. No, no.</p> <p>11 Q. Or where it would have been taken?</p> <p>12 A. At that time I never thought I'd be a garbage hauler, so I just never paid any attention to it.</p> <p>13 Q. In approximately 1955 you don't have any idea who might have been picking up the garbage?</p> <p>14 A. No.</p> <p>15 Q. So in 1956, was that the year the plant was</p>



1 sold to GM?  
 2 A. Yeah.  
 3 Q. What happened to the Martin Perry Company?  
 4 A. I think they went to Syracuse, New York,  
 5 but I'm not sure. I think that was the  
 6 place they went.  
 7 Q. Do you know if there's still a company in  
 8 existence?  
 9 A. I don't know.  
 10 Q. You have no idea, okay.  
 11 A. No.  
 12 Q. But the name of it was Martin Perry,  
 13 Incorporated?  
 14 A. Yes. I think they're still in business  
 15 because I think they still make the Rex Air  
 16 sweeper. Of course that could be made by  
 17 somebody else, too. They could have sold  
 18 the patent to it.  
 19 Q. When the plant was sold to GM, were you  
 20 laid off?  
 21 A. Yeah.  
 22 Q. So you didn't have an option to work for  
 23 GM?  
 24 A. They gave me an option. They asked me if I

1 wanted to work for GM and I told them hell,  
 2 no. Those are not my exact words, but --  
 3 Q. Approximately that, okay. So what did you  
 4 do after you left Martin Perry?  
 5 A. Let's see, I went to Acklin Stamping for 29  
 6 days. I went to the gas company.  
 7 Q. Why did you only stay at Acklin Stamping  
 8 for 29 days?  
 9 A. That was their policy. They could hire you  
 10 for 29 days. You didn't belong to the  
 11 union, you were theirs. You did exactly  
 12 what they said for 29 days.  
 13 Q. So did they fire a lot of people on their  
 14 29th day?  
 15 A. They'd hire them back the next month.  
 16 Q. Were you ever hired back by Acklin?  
 17 A. I didn't try. That was enough.  
 18 Twenty-nine days was enough there. Then I  
 19 went to the gas company.  
 20 Q. Which gas company was that?  
 21 A. Columbia Gas.  
 22 Q. What did you do for Columbia Gas Company?  
 23 A. I dug ditches.  
 24 Q. How long did you do that?

1 A. About six, eight months, something like  
 2 that.  
 3 Q. When did you begin with Community  
 4 Sanitation Service?  
 5 A. Right after that. They're the next ones on  
 6 my list.  
 7 Q. After you finished with Columbia Gas you  
 8 went to Community?  
 9 A. Yeah.  
 10 Q. What did you do for Community?  
 11 A. An open farm truck and went around and  
 12 picked up houses.  
 13 Q. You picked up the --  
 14 A. Garbage.  
 15 Q. -- residential garbage?  
 16 A. Yeah.  
 17 Q. Residential waste, okay.  
 18 A. Um-hmm.  
 19 Q. Was Elmer Brown the head of Community  
 20 Sanitation Service at the time you --  
 21 A. Yes, ma'am.  
 22 Q. And this would have been maybe 1957 when  
 23 you started, or late '56?  
 24 A. Late '56 I think.

1 Q. When did you begin picking up commercial or  
 2 industrial accounts for Community?  
 3 A. Let's see, it was about nine months I think  
 4 before they put me on. They had a guy on  
 5 commercial, then they put me on it. In  
 6 about nine months.  
 7 Q. What type of truck did you drive when you  
 8 first started picking up commercial  
 9 accounts?  
 10 A. They bought a brand new Leach Packer, rear  
 11 loader.  
 12 Q. About how big was that truck?  
 13 A. I think about 12 cubic yards, something  
 14 like that was the rating on it.  
 15 Q. And do you remember where you used to go  
 16 when you first had a commercial or  
 17 industrial route?  
 18 A. Do I remember where I used to go? Well, I  
 19 know I took care of all the A & P stores in  
 20 the City of Toledo and Maumee and Rossford.  
 21 Then the Kroger stores.  
 22 Q. When did you start picking up the -- or did  
 23 you start picking up industrial plants?  
 24 A. Yes, I finally started picking them up.

1 Q. When did you start doing that?  
 2 A. I can't tell you the date.  
 3 Q. What's your best approximation, your best  
 4 guess?  
 5 A. I took them as they gave them to me, you  
 6 know, and --  
 7 Q. Well how long after you started with  
 8 Community did you start doing the  
 9 industrial accounts?  
 10 A. Let's see --  
 11 Q. Just to the best of your recollection.  
 12 A. I really don't know, dear. I'm not  
 13 thinking very good today, but whatever.  
 14 Q. Maybe if we go over some names of companies  
 15 that would be helpful, okay?  
 16 A. That might be -- yeah.  
 17 Q. Do you remember ever picking up anything  
 18 from the AP Parts Manufacturing Company?  
 19 A. Yes, ma'am.  
 20 Q. Where was the AP Parts plant located?  
 21 A. Matzinger Road.  
 22 Q. What did you pick up from AP Parts?  
 23 A. Floor sweepings, cardboard boxes, all that  
 24 type of stuff. I really don't know what

1 all was in it. They had a big -- on wheels  
 2 they had big wooden boxes so long, and  
 3 they'd be full.  
 4 Q. Big wooden boxes what? I'm sorry.  
 5 A. So long.  
 6 Q. And how long would that be?  
 7 A. I don't know, so long. Eight feet. And  
 8 they'd bring them out on this dock and I'd  
 9 back up to the dock and I'd dump them in  
 10 there. Usually it took more than one  
 11 person, so they usually had a couple people  
 12 out there to help and I'd usually just stop  
 13 with the lever to rotate the blade.  
 14 Q. Did you have an opportunity to view the  
 15 waste?  
 16 A. All I ever remember seeing is like I say,  
 17 shock absorber boxes and muffler clamp  
 18 boxes and that type of stuff.  
 19 Q. What did AP Parts do?  
 20 A. That's what they made, mufflers, shock  
 21 absorbers and --  
 22 Q. Did the floor sweepings have any -- appear  
 23 to have any chemicals in them?  
 24 A. I couldn't tell you.

1 Q. Were they wet?  
 2 A. No, no.  
 3 Q. Did they have a chemical smell?  
 4 A. I don't think so. No.  
 5 Q. Did you ever pick up any liquid waste --  
 6 A. No.  
 7 Q. -- from AP Parts?  
 8 A. No.  
 9 Q. What did you do with the waste that you  
 10 picked up from AP Parts?  
 11 A. Went over to Dura.  
 12 Q. You took them to Dura? Did you ever take  
 13 them to the Stickney or Tyler landfill?  
 14 A. I wasn't picking that place up when they  
 15 were dumping at Stickney.  
 16 Q. How often did you pick up from AP Parts?  
 17 A. Once a week I think.  
 18 Q. And do you have any idea about how much you  
 19 would pick up from AP Parts?  
 20 A. No, it would vary. It would vary.  
 21 Q. How much would it be on a typical week?  
 22 A. Oh, maybe about six of those boxes full I  
 23 was talking about.  
 24 Q. Six of the eight feet boxes?

1 A. Yeah.  
 2 Q. But you don't remember ever seeing anything  
 3 more than general trash?  
 4 A. No.  
 5 Q. Well, did you ever go back to Acklin  
 6 Stamping to pick up Acklin?  
 7 A. Yes, I did.  
 8 Q. Approximately what years did you pick up  
 9 from Acklin, do you remember that?  
 10 A. Probably somewhere around '58.  
 11 Q. Until what year?  
 12 A. Oh, maybe -- let's see, about '62.  
 13 Q. And what did you pick up from Acklin?  
 14 A. Same thing. Cardboard, floor sweepings,  
 15 that type of thing.  
 16 Q. Did you ever see -- were the floor  
 17 sweepings saturated with chemicals?  
 18 A. I suppose. They were damp.  
 19 Q. Did they smell like chemicals?  
 20 A. To me, I never really -- all their stuff  
 21 was in regular containers and I just would  
 22 dump them, you know.  
 23 Q. Do you mean in roll-off boxes or what would  
 24 be --

1 A. No, just a regular one-yard dumpster, and  
 2 it would hook on the back of the truck and  
 3 dump right in and --  
 4 Q. Did you ever pick up any liquid waste --  
 5 A. No.  
 6 Q. -- from Acklin Stamping?  
 7 A. No.  
 8 Q. Any drum waste?  
 9 A. Nope.  
 10 Q. What did you do with the waste from Acklin  
 11 Stamping?  
 12 A. It went to Dura dump.  
 13 Q. Did you ever take any waste from Acklin  
 14 Stamping to Stickney or Tyler?  
 15 A. Well, that I can't tell you.  
 16 Q. Why not?  
 17 A. How would I know?  
 18 Q. I don't know. You don't know where you  
 19 took it?  
 20 A. I mean, I didn't go to the dump every stop  
 21 I made. I put all this together and jammed  
 22 it all up as many times as I could and kept  
 23 going. How do I know what dump I ever went  
 24 to?

1 Q. Well, when you got finished with it, when  
 2 the truck got loaded you would know where  
 3 you went, right?  
 4 A. But I don't know what I had on it that day,  
 5 what day it was that I used Tyler Street  
 6 dump or -- you don't understand.  
 7 Q. Did you ever take waste to the Stickney or  
 8 Tyler dump?  
 9 A. Yeah, I've taken waste to both of them.  
 10 Q. Approximately how many times a week would  
 11 you take waste to Stickney or Tyler?  
 12 A. I didn't use Tyler hardly ever unless Dura  
 13 was on fire or something of that nature.  
 14 Q. How often did you use Stickney?  
 15 A. How often?  
 16 Q. Yes. To the best of your recollection.  
 17 A. Well, yeah. They was -- it would depend on  
 18 lots of things.  
 19 Q. Would you go to Stickney once a day, once a  
 20 week?  
 21 A. I never went to Stickney unless I  
 22 absolutely had to.  
 23 Q. Why was that?  
 24 A. Why should I? It's a lot farther. It was

1 a lot farther for me to go to the landfill.  
 2 Q. A lot further than what?  
 3 A. Than going to Dura.  
 4 Q. So you usually went to Dura?  
 5 A. Usually, until they closed the thing to  
 6 commercial haulers.  
 7 Q. What would cause Dura not to be available  
 8 to you?  
 9 A. Well, most of the time fires.  
 10 Q. They had fires fairly often at Dura, didn't  
 11 they?  
 12 A. Yes, ma'am.  
 13 Q. Approximately how often would they have  
 14 fires?  
 15 A. You could bet on a fire.  
 16 Q. Did they have a fire every week out there?  
 17 A. Close. Maybe not quite that bad, but it's  
 18 close.  
 19 Q. And who would tell you that you couldn't  
 20 dump at Dura?  
 21 A. Who would tell me?  
 22 Q. Yes. Would someone from the City say you  
 23 can't dump at Dura today, go on over to  
 24 Stickney or go on over to Tyler?

1 A. Yeah. That, yes. Yes.  
 2 Q. Do you remember the name of anybody that  
 3 might have told you that?  
 4 A. No. Nope.  
 5 Q. But it would be someone from the City that  
 6 would tell you to go to another dump?  
 7 A. Yep.  
 8 Q. Would they tell you which dump to go to?  
 9 A. Yeah. Yep.  
 10 Q. So what would they say? If you would drive  
 11 up and you couldn't dump at Dura because  
 12 there was a fire, what would they say to  
 13 you?  
 14 A. They would either tell me to go to Tyler or  
 15 Stickney, whichever was my convenience.  
 16 Q. So you made the choice as to whether to go  
 17 to Stickney or Tyler?  
 18 A. Right.  
 19 Q. The City didn't tell you to go to Stickney  
 20 or to go to Tyler, but you could choose  
 21 either one of them?  
 22 A. Well, they usually -- they didn't really  
 23 want you to go to Tyler.  
 24 Q. Why not?

1 A. Well, Tyler was more of a -- what do I want  
2 to say? It wasn't near as easy to get in  
3 and out of. It was harder on the truck, it  
4 was just a messed up dump, period.  
5 Q. So is it fair to say that you usually went  
6 to Stickney when Dura was not available?  
7 A. Right.  
8 Q. So you probably went to Stickney several  
9 times a week, did you not?  
10 A. Well, yeah, probably several times a week.  
11 Yeah. That's probably true. Several times  
12 a week.  
13 Q. Do you think you went every day to  
14 Stickney?  
15 A. No, no. I don't think I did. I did after  
16 awhile, but not for awhile.  
17 Q. Do you have any idea what year you might  
18 have been going to Stickney on just about  
19 every day?  
20 A. No, I have no idea.  
21 Q. Do you remember who was president when you  
22 started going to Stickney every --  
23 A. President?  
24 Q. Yes, of the United States.

1 A. No.  
2 Q. No?  
3 A. I couldn't tell you that.  
4 Q. Do you have any children, Mr. Dauterman?  
5 A. Yes, ma'am.  
6 Q. What years were your children born?  
7 A. Now there you've got me.  
8 Q. I got you again there? You know, women  
9 always know when their children are born.  
10 A. I imagine. Yeah.  
11 Q. Sometimes men forget those things.  
12 A. I think I have.  
13 Q. You don't remember what years they were  
14 born?  
15 A. Well, I can remember my son's. He was the  
16 first born. He was an April Fool.  
17 Q. What year was that?  
18 A. '59.  
19 Q. 1959? Were you going to Stickney every day  
20 when your April Fool son was born?  
21 A. I really couldn't tell you, dear.  
22 Q. Well you can think on that a little bit.  
23 If you can remember as we're going through  
24 this, stop me and tell me, okay?

1 A. Yeah.  
2 Q. Do you remember ever picking up from Acme  
3 Quality Paint?  
4 A. No, ma'am.  
5 Q. Allied Chemical or Allied Signal?  
6 A. No.  
7 Q. American Cyanamide?  
8 A. No, ma'am.  
9 Q. Jeep Eagle or Jeep Corporation?  
10 A. No, ma'am.  
11 Q. I think at one point it was also Willy's  
12 Overland?  
13 A. Um-hmm.  
14 Q. Did you ever pick up from them?  
15 A. Nope.  
16 Q. Anderson's? It was a fertilizer place.  
17 A. No.  
18 Q. Art Iron.  
19 A. I picked up at Art Iron, but it was a front  
20 loader. That'd be 1964 or somewhere. But  
21 I think by that time, I think by that time  
22 we had our own dump, didn't we? Hmm.  
23 Q. Do you -- you picked up from Art Iron, but  
24 you don't remember where you took the --

1 A. No, I can't tell you for sure where I took  
2 the stuff.  
3 Q. Where was Art Iron located?  
4 A. South Avenue. It's actually what, Curtis?  
5 Is that Curtis? It's at Western and -- or  
6 it's at what, it's at Hawley and --  
7 Q. Would it help for you to look at the map?  
8 A. Hawley and South? Is that South or  
9 Western? It runs right by Libbey High  
10 School.  
11 Q. Would it help for you to look at the map?  
12 A. Probably.  
13 Q. Do you want to sit in the middle chair  
14 there?  
15 A. No, that's all right. (Witness looking at  
16 map.) Yeah, it's on Curtis Street.  
17 Q. Curtis Street? Curtis and what  
18 approximately?  
19 A. What did I have there? Western and Hawley.  
20 Q. Do you remember -- hang on just a second.  
21 MS. ESTES: Phil, go off the  
22 record.  
23 (A short recess was taken.)  
24 Q. We were talking about Art Iron and you said

1 you were picking them up in approximately  
2 1964?  
3 A. Somewhere in there, yeah.  
4 Q. And they were located on Western Avenue or  
5 close to Western Avenue. Do you remember  
6 what other companies you might have been  
7 picking up at the same time you were  
8 picking up Art Iron?  
9 A. No. You'll just have to keep going. I was  
10 on a front load then, so --  
11 Q. When did you start working on a front  
12 loader?  
13 A. Oh, '62 or '63, somewhere in there.  
14 Q. Do you know if you would take the waste  
15 from Art Iron up to Stickney and Tyler, or  
16 there was also a dump there at Western  
17 Avenue. I'm pointing to what is Exhibit --  
18 or Dump No. 13 on Exhibit No. 1, the map.  
19 To the best of your knowledge is that  
20 location the approximate location of the  
21 Western Avenue dump on Kuhlman Drive? Do  
22 you understand the question?  
23 A. Well, I understand part of the question.  
24 Q. What --

1 A. I never went to a Western Avenue dump that  
2 I remember of. The one I went to was what,  
3 Sumner Street or --  
4 Q. Sumner Street?  
5 A. That was the one they went by when I went  
6 to it.  
7 Q. That was the name of the dump? What was  
8 the name of it?  
9 A. Sumner Street.  
10 Q. Sumner Street?  
11 A. Yeah.  
12 Q. And could you locate that particular dump  
13 on this map?  
14 A. It's the one right underneath the 75 bridge  
15 area, right there where they got the thing,  
16 yeah. It's right in that area.  
17 MS. ESTES: Please go off the  
18 record again.  
19 (A short recess was taken.)  
20 Q. Mr. Dauterman, do you think that you ever  
21 took any waste from Art Iron to the Western  
22 Avenue dump?  
23 A. No, ma'am.  
24 Q. Why not?

1 A. Because I never took a front loader into  
2 that dump.  
3 Q. And did you -- while we were off the  
4 record, did you state that the Western  
5 Avenue dump was closed by 1964?  
6 A. Well, it was to us, the commercial haulers,  
7 that I know of.  
8 Q. Was it still being used by the City at that  
9 time?  
10 A. I think so.  
11 Q. And you saw another dump in the vicinity of  
12 Western Avenue?  
13 A. Well, it's probably the same one.  
14 Q. What's the dump that you recognized?  
15 A. But what we called it was Sumner Street.  
16 We came down South Street, turned on Sumner  
17 and right into the dump.  
18 Q. Was that a different dump then, Western  
19 Avenue?  
20 A. Well, it must -- it's on the same land  
21 right there underneath the bridge.  
22 Q. Then you said you didn't go into Western  
23 Avenue though.  
24 A. Not with the front loader, no. Never went

1 in with a front loader.  
2 Q. Do they have two names? Did it have the  
3 name Sumner Street and Western Avenue? Did  
4 you hear a couple of things?  
5 A. No, I don't -- all I remember is the name  
6 we had for it, Sumner Street.  
7 (Exhibit 16 marked)  
8 Q. Could you locate the -- I'm going to  
9 identify this as Dauterman No. 16. Could  
10 you locate the dump on the map to the best  
11 of your ability?  
12 A. Well, I'm about as clumsy as a --  
13 Q. So it was -- was I-75 constructed at that  
14 time?  
15 A. No. No, no.  
16 Q. What was there at the time? Was there a  
17 road at the time?  
18 A. There was an old bridge there that had --  
19 that's the street bridge that had broke  
20 down.  
21 Q. So this would have been west and south of  
22 the bridge, this dump?  
23 A. I can't tell you directions because I'm not  
24 very good at that in the City. I'm all

1 right out in the country, but I ain't worth  
2 a damn in the City.  
3 Q. As you're facing the map, is the bridge on  
4 75 in the approximate location as the old  
5 bridge that was broken down?  
6 A. That I don't know. I don't know that.  
7 Q. So you're not sure whether the dump that  
8 you're calling the Sumner Street dump and  
9 the Western Avenue dump are two separate  
10 dumps?  
11 A. I really don't know.  
12 Q. You said you never went into --  
13 A. See, there's Fassett Street here  
14 (indicating), running this way, so the  
15 other -- the old Fassett Street came across  
16 this way, so it didn't run the same way as  
17 that. See, Fassett Street's there on the  
18 east side, and the old bridge used to come  
19 right up to that and run straight across  
20 over.  
21 Q. So that dump, that bridge ran east-west  
22 across the river?  
23 A. Yeah.  
24 Q. And the I-75 bridge runs north-south, okay?

1 A. Okay.  
2 Q. So that says Albert Street on this map.  
3 What was the street name that you were  
4 familiar with?  
5 A. Fassett Street, right here. See it  
6 (indicating)?  
7 Q. Oh, okay.  
8 A. Yeah.  
9 Q. So if you took Fassett straight across the  
10 river, you would be close to the dump that  
11 has -- it's indicated as being the Western  
12 Avenue dump?  
13 A. That's right.  
14 Q. So it may have been the same dump?  
15 A. It probably was.  
16 Q. You said you never went into that dump with  
17 a --  
18 A. Front loader.  
19 Q. -- front loader. Did you go into that dump  
20 with a rear loading truck?  
21 A. Yes, ma'am.  
22 Q. Do you remember what years you might have  
23 gone into the Western Avenue or Sumner  
24 Street dump?

1 A. From the time I went on the rear loader --  
2 well, I even -- when I was back in the old  
3 open truck, when I first started in, I  
4 dumped -- I had two days where I dumped in  
5 that dump.  
6 Q. That was when you were picking up  
7 residential houses?  
8 A. Yeah, yeah. And then I went on the rear  
9 loader, and if I was full in that area, I  
10 would go in that dump.  
11 Q. But more often you went to Dura or to  
12 Stickney?  
13 A. Most of the time Dura. That was my closest  
14 shot.  
15 Q. But you're sure you did not take any Art  
16 Iron refuse --  
17 A. No.  
18 Q. -- into Sumner Street, okay. Do you  
19 remember ever picking up any liquid waste  
20 from Art Iron?  
21 A. No, ma'am.  
22 Q. Any barrels?  
23 A. Nope.  
24 Q. Do you remember picking up any drummed

1 waste from anybody?  
2 A. No.  
3 Q. You never picked up any drummed waste?  
4 A. No.  
5 Q. Are you familiar with anybody -- with the  
6 people that did pick up drummed waste? Do  
7 you know of anybody that did?  
8 A. Max Klukas.  
9 Q. Who is Max Klukas?  
10 A. I don't know. That was his name.  
11 Q. Did he work for Community Sanitation  
12 Service?  
13 A. Yes, ma'am.  
14 Q. Is he still alive?  
15 A. I have no idea.  
16 Q. Do you have any idea whether he might be in  
17 the Toledo area?  
18 A. I have no idea.  
19 Q. What years did he work at Community  
20 Sanitation Service?  
21 A. I can't even tell you that.  
22 Q. Did he work towards the beginning of your  
23 time there or later on?  
24 A. Later on. Later on.

1 Q. So this would have been --  
 2 A. He probably --  
 3 Q. Maybe in the mid Sixties? Is that when he  
 4 started working there?  
 5 A. That's probably it, mid Sixties.  
 6 Q. Do you know how long he worked there?  
 7 A. No, he had to have started working there  
 8 before that.  
 9 Q. What's your best estimate?  
 10 A. Dear, I don't have any idea on time on  
 11 this.  
 12 Q. Do you know who might have picked up liquid  
 13 waste or drummed waste before Max started  
 14 with Community Sanitation Service?  
 15 A. I don't know if we had anybody picking it  
 16 up.  
 17 Q. So when Max started, that's when the --  
 18 A. Unless --  
 19 Q. -- company started picking up drummed  
 20 waste?  
 21 A. Yeah, I don't remember when we got started  
 22 picking up that stuff. Of course, I think  
 23 we only did it in one or two factories I  
 24 think. I know there was DuPont. DuPont's

1 all I know of.  
 2 Q. Do you happen to know how Mr. Klukas would  
 3 spell his last name?  
 4 A. No, ma'am.  
 5 Q. Well, let's continue on the list. Did you  
 6 ever pick up an entity called Electric Auto  
 7 Light or Prestolite?  
 8 A. No, ma'am.  
 9 Q. Bendix Auto Light or Toledo Stamping?  
 10 A. I think I -- yeah, Toledo Stamping I picked  
 11 up.  
 12 Q. Where was the Toledo Stamping plant  
 13 located?  
 14 A. Fearing Boulevard.  
 15 Q. Fearing and --  
 16 A. Avenue, whatever.  
 17 Q. And what was the other street?  
 18 A. Just Fearing.  
 19 Q. Was there another cross street close to --  
 20 A. Okay, Hill Avenue dead ends into it.  
 21 Q. So Hill Avenue and Fearing?  
 22 A. Yeah.  
 23 Q. What did you pick up from Toledo Stamping?  
 24 A. There again, just floor sweepings and

1 what-have-you.  
 2 Q. What did Toledo Stamping do?  
 3 A. Oh, make parts for the auto industry.  
 4 Q. Did they make the metal or was the metal  
 5 shipped in?  
 6 A. The metal was shipped in.  
 7 Q. Did they have any metal shavings in their  
 8 waste?  
 9 A. Probably.  
 10 Q. Did you ever see metal shavings in their  
 11 waste?  
 12 A. Like I say, there probably was. I couldn't  
 13 tell you. There probably was a lot of it.  
 14 Q. Did you ever see any liquids in the floor  
 15 sweepings?  
 16 A. Not that I really noticed, but probably  
 17 there was some -- it would be like a damp  
 18 color. I never felt it to see if it was  
 19 damp, but it would be that damp color, you  
 20 know.  
 21 Q. You mean darker in color than it would be  
 22 if it were dry?  
 23 A. Fresh, yeah.  
 24 Q. Do you remember ever smelling any type of

1 chemical smell from the sweepings?  
 2 A. No, ma'am.  
 3 Q. Mr. Dauterman, again I'll just need to  
 4 caution you, please let me finish the --  
 5 please let me finish the sentence.  
 6 Otherwise --  
 7 A. Yeah.  
 8 Q. Otherwise Phil here might get confused when  
 9 he's trying to do the transcript.  
 10 Do you remember any other types of  
 11 waste from Toledo Stamping?  
 12 A. No, ma'am.  
 13 Q. What did you do with the waste from Toledo  
 14 Stamping?  
 15 A. Dura Avenue.  
 16 Q. Is it possible that you also took waste  
 17 from Toledo Stamping to the Stickney Avenue  
 18 landfill?  
 19 A. It's possible. Yes, ma'am.  
 20 Q. How often did you pick up from Toledo  
 21 Stamping?  
 22 A. Twice a week.  
 23 Q. How much did you pick up from them?  
 24 A. Oh, five or six cubic yards. I don't

1 remember how many containers they had, but  
 2 they wheeled out the full ones and I just  
 3 wheeled in and helped them and drive off.  
 4 Q. Do you remember what years you picked up  
 5 from Toledo Stamping?  
 6 A. No, ma'am.  
 7 Q. So you would pick up from Toledo Stamping  
 8 and several other places, and what would  
 9 you do then?  
 10 A. When it was full I'd go to the dump.  
 11 Q. And that was usually Dura?  
 12 A. Yeah, usually Dura.  
 13 Q. But if there were a fire that day, what  
 14 would you do?  
 15 A. I'd probably go to Stickney.  
 16 Q. Is it also possible that you went to Tyler?  
 17 A. It is possible, but not too probable.  
 18 Q. Less often?  
 19 A. Yeah.  
 20 Q. Are you familiar with an individual by the  
 21 name of Ralph Bowman?  
 22 A. No, ma'am.  
 23 Q. Have you ever heard of an entity called  
 24 Buckeye Paint and Varnish?

1 A. I think I've heard of it.  
 2 Q. Do you know where that was located?  
 3 A. No.  
 4 Q. Were you ever in the south part of the  
 5 Stickney Avenue dump?  
 6 A. The south part?  
 7 Q. Yes.  
 8 A. I probably have been. I really couldn't  
 9 tell you.  
 10 Q. Was there a fence on the south side of  
 11 Stickney?  
 12 A. I don't remember ever seeing a fence where  
 13 I was. So maybe I wasn't there, I don't  
 14 know.  
 15 Q. Do you remember, is it possible that  
 16 Buckeye Paint and Varnish was located along  
 17 the south side of Stickney?  
 18 A. I have no idea.  
 19 Q. Are you familiar with a company called  
 20 Incorporated Crafts?  
 21 A. No.  
 22 Q. Are you familiar with a company called S.  
 23 M. Allen?  
 24 A. I've seen that name somewhere, but I don't

1 know where.  
 2 Q. Do you know whether they were located  
 3 immediately next to the Stickney Avenue  
 4 dump?  
 5 A. I don't think so. When the dump was going,  
 6 there was nothing. There was nothing  
 7 there.  
 8 Q. You never --  
 9 A. Then they built a fire station. I don't  
 10 know anything about any other companies.  
 11 Q. Did you ever see any waste lagoons close to  
 12 the Stickney Avenue dump?  
 13 A. Some what?  
 14 Q. Waste lagoons.  
 15 A. No.  
 16 Q. Are you familiar with a company called  
 17 Buckeye Brewing?  
 18 A. Yes.  
 19 Q. What do you know about Buckeye Brewing?  
 20 A. I don't know anything about them, other  
 21 than they made beer.  
 22 Q. Did you ever pick up from Buckeye Brewing?  
 23 A. No.  
 24 Q. Did you ever pick up from Bulk Materials,

1 Inc.?  
 2 A. No.  
 3 Q. Did you ever pick up from Bunting Bearings  
 4 Corporation?  
 5 A. Bunting? I picked up from them, but only  
 6 when I was working with Bob Benton. Not  
 7 while I was working with Community.  
 8 Q. When did you work for Bob Benton?  
 9 A. Oh, 1970.  
 10 Q. Until what year?  
 11 A. '85.  
 12 Q. Let's go back to your time at Community  
 13 Sanitation Service.  
 14 A. All right.  
 15 Q. Did you ever pick up from Gulf Oil?  
 16 A. No.  
 17 Q. Did you ever pick up from Champion Spark  
 18 Plug?  
 19 A. Yes.  
 20 Q. What truck did you drive when you were  
 21 picking up from Champion Spark Plug?  
 22 A. Front loader.  
 23 Q. Did you ever pick up Champion Spark Plug  
 24 when you were driving the rear loader

1 truck?  
 2 A. No, ma'am.  
 3 Q. Do you remember what years you may have  
 4 picked up Champion Spark Plug?  
 5 A. Probably '62, '63.  
 6 Q. And where was the Champion Spark Plug plant  
 7 located?  
 8 A. I know it, I just played on that. I  
 9 can't tell you the name of the street.  
 10 Give me the name of the street off there.  
 11 Q. The address that I have is 900 Upton  
 12 Avenue. I don't know if that's an office  
 13 address or that was the plant.  
 14 A. Well, it's the whole works I think.  
 15 Q. Does that sound --  
 16 A. Yeah.  
 17 Q. Was that where you were picking up from  
 18 Champion Spark Plug?  
 19 A. Yeah. But it runs the whole block long  
 20 then after that. I couldn't think of the  
 21 name of the street. Upton, all right, come  
 22 in off Upton. Come in the guard shack and  
 23 then you went down through and I picked up  
 24 different parts of the plant. Then I had

1 to go outside, come around and go inside  
 2 the building with the big truck, and they  
 3 would close everything up in the wintertime  
 4 and I had to dump everything inside off of  
 5 a dock with the front loader.  
 6 Q. What did you pick up from Champion Spark  
 7 Plug?  
 8 A. Really I can't tell you. They would push  
 9 the container up to the -- whatever I saw  
 10 was spark plug boxes. That's all I ever  
 11 saw.  
 12 Q. Do you remember seeing floor sweepings?  
 13 A. No, I can't remember ever seeing too much  
 14 of anything. I was sitting down here  
 15 inside of a truck well. Containers were  
 16 sitting up here on the dock. I would put  
 17 the forks in, dump them, set them back  
 18 down. They'd push another one up, and I'd  
 19 do it. So the only thing I ever saw was  
 20 what spilled out.  
 21 Q. What did you see spill out?  
 22 A. Like I say, the little boxes, the little  
 23 spark plug boxes, little flattened spark  
 24 plug boxes would every once in awhile come

1 flying out.  
 2 Q. Do you know whether the waste from Champion  
 3 Spark Plug was particularly heavy?  
 4 A. No. No, it was not.  
 5 Q. It was not?  
 6 A. No.  
 7 Q. Hang on just a second.  
 8 MS. ESTES: Let's go off the  
 9 record for a minute.  
 10 (A short recess was taken.)  
 11 Q. Do you remember using a mule to pick up the  
 12 containers from Champion Spark Plug?  
 13 A. I never did, no.  
 14 Q. How often did you pick up at Champion Spark  
 15 Plug?  
 16 A. At least twice a week.  
 17 Q. How much would you pick up from Champion  
 18 Spark Plug?  
 19 A. They had three yard containers.  
 20 Q. How many three yard containers did they  
 21 have?  
 22 A. Well, they weren't always all of them full,  
 23 but I think they had eight of them, I  
 24 think. Yeah. And they usually have

1 between five and six full.  
 2 Q. And you would pick up these three yard  
 3 containers from the area that was enclosed  
 4 close to the dock?  
 5 A. These are all the enclosed ones, yeah. The  
 6 other ones outside were a yard and a half  
 7 containers that were all outside of  
 8 buildings.  
 9 Q. Approximately how many of the one and a  
 10 half yard containers were there?  
 11 A. Oh, seven or eight of them.  
 12 Q. And did you pick those up most of the time  
 13 when you picked up from Champion Spark  
 14 Plug?  
 15 A. Yes, ma'am.  
 16 Q. What did you do with the waste from  
 17 Champion Spark Plug?  
 18 A. That went to Dura dump.  
 19 Q. And if they was a fire that day?  
 20 A. I went to Stickney Avenue dump.  
 21 Q. Do you remember --  
 22 A. But we're getting close now to -- I don't  
 23 know when BFI opened their landfill, or  
 24 Community I mean. Community opened their

1 landfill. And after they opened the  
2 landfill, everything went there.  
3 Q. What was the name of the landfill opened by  
4 Community --  
5 A. Hagman. Hagman Road.  
6 Q. Excuse me, Community Sanitation Service.  
7 What year was the Hagman landfill opened?  
8 A. I'm not exactly sure.  
9 Q. Mr. Dauterman, the Hagman Road landfill has  
10 been previously located --  
11 A. Yeah, somewhere. Somewhere up here in  
12 Michigan. It's in Michigan.  
13 MS. ESTES: Off the record.  
14 (A short recess was taken.)  
15 Q. Mr. Dauterman, I'd like to point your  
16 attention to the map identified as Exhibit  
17 1. There is a dump noted on here at No. 2.  
18 This dump is on Hagman Road in Michigan.  
19 Is this -- and the other cross street is --  
20 A. Alexis Road is the closest.  
21 Q. -- Alexis Road, okay. Is that the  
22 approximate location of the Hagman Avenue  
23 dump?  
24 A. Yeah.

1 Q. Do you know what year Community Sanitation  
2 Service opened that dump?  
3 A. No, I can't remember that. But it had to  
4 be -- see, I quit there in 1969.  
5 Q. How long before you quit was the dump open?  
6 A. At least a couple years, maybe three.  
7 Q. Once the Hagman Road dump opened did you  
8 still go to Dura or Stickney or Tyler?  
9 A. Sometimes. They preferred I didn't.  
10 Q. Why was that?  
11 A. Well, they preferred that I brought  
12 everything into the Hagman dump. That's  
13 why they opened the dump.  
14 Q. But you were still -- sometimes your truck  
15 would still be full, would it not? Your  
16 truck would be full and you'd have other  
17 places that would still be on your route?  
18 A. Yeah.  
19 Q. What would you do when your truck was full  
20 but you still had to complete your route?  
21 Did you drive all the way up to the Hagman  
22 Road landfill?  
23 A. Well, at that time it wasn't much harder to  
24 get to the Hagman Road landfill than it is

1 to get to the other dumps.  
2 Q. So you --  
3 A. So I would --  
4 Q. You would usually go to Hagman?  
5 A. Usually, yes.  
6 Q. But there were times that you still went up  
7 to --  
8 A. There were times, yes.  
9 Q. -- Stickney, Tyler or Dura?  
10 A. I never -- I don't ever remember taking a  
11 rear loader into -- I mean a front loader  
12 into Tyler Street. That would have been  
13 very dangerous.  
14 Q. Why is that?  
15 A. Well, the dump wasn't taken care of right.  
16 I mean, it was not compacted hard. The  
17 other dumps, they had like roads you drove  
18 on to get to where you was going to dump.  
19 Tyler Street had nothing like that.  
20 Q. So if you didn't go to Hagman you would  
21 have gone to first probably Dura?  
22 A. If it was open to us. And like I say, they  
23 closed it to commercial. I don't remember  
24 the year, but they closed it to commercial

1 and they still kept Stickney open to  
2 commercial, but --  
3 Q. So Stickney was open to commercial dumping  
4 after Dura was closed to commercial  
5 dumping?  
6 A. Yeah.  
7 Q. So if you didn't go to Hagman, you would  
8 have gone to Stickney?  
9 A. Right.  
10 Q. So did I ask you about Chase Packing?  
11 A. No, you didn't ask me.  
12 Q. Do you ever remember picking up from Chase  
13 Packing?  
14 A. No, ma'am.  
15 Q. Did you ever pick up from City Auto  
16 Stamping?  
17 A. Yes, ma'am.  
18 Q. Where was the City Auto Stamping plant  
19 located?  
20 A. See, right there the road has different  
21 names and that's -- okay, I don't know if  
22 that's Dura Avenue or whether it's  
23 Matzinger. It changes names right there.  
24 Q. So it would either be Dura or Matzinger,

1 depending on what the road is named?  
2 A. Yeah, it was right in front of the dump.  
3 Q. It was right in front of the Dura dump?  
4 A. Dura dump, yes, ma'am.  
5 Q. Do you remember what years you picked up  
6 from City Auto Stamping?  
7 A. When I picked it up it had to be when I was  
8 on the front loader.  
9 Q. And approximately what year was that?  
10 A. Sixties. Early Sixties.  
11 Q. Early Sixties?  
12 A. Well, any part of the Sixties.  
13 Q. I think you said '62 or '63 you started on  
14 the front loader?  
15 A. Somewhere in there.  
16 Q. Did you ever pick up City Auto Stamping  
17 with the rear loading truck?  
18 A. No.  
19 Q. So you started picking up City Auto  
20 Stamping about when you started on the  
21 front loader? When you started on the  
22 front loader did you start picking up City  
23 Auto Stamping?  
24 A. Right around that time. Whenever they got

1 the account.  
2 Q. What I was trying to find out is if you --  
3 if Community got the account shortly after  
4 you started driving the front loader?  
5 A. I think so. It was shortly afterwards. I  
6 can't tell you exactly because it -- they  
7 got -- they had so many salesman out after  
8 accounts that --  
9 Q. What did you pick up from City Auto  
10 Stamping?  
11 A. Just about anything. Whatever they threw  
12 out. They had three yard containers.  
13 Q. How many three yard containers did they  
14 have?  
15 A. Seven I think.  
16 Q. How often would you pick up these  
17 containers?  
18 A. Twice a week.  
19 Q. Did you notice any floor sweepings in the  
20 containers?  
21 A. No, I -- this was front loader. I couldn't  
22 tell you what was in it.  
23 Q. So you did not load the containers for City  
24 Auto Stamping?

1 A. I did not load them?  
 2 Q. I'm sorry. That's not a very good  
 3 question. When you would come into City  
 4 Auto Stamping, what would happen? How  
 5 would you load their waste?  
 6 A. Put the forks out, dump it over your head  
 7 and set it right back down.  
 8 Q. So you would be operating the truck?  
 9 A. Yes.  
 10 Q. And you didn't have the opportunity to see  
 11 what was in the three-yard containers?  
 12 A. Hardly ever.  
 13 Q. You never would get out and look at the  
 14 containers prior to dumping them into your  
 15 truck?  
 16 A. Not unless there was a big piece of wood  
 17 sticking out on the side that might knock  
 18 the container off.  
 19 Q. Did you ever see any waste fall out of any  
 20 of the containers?  
 21 A. Not really, no.  
 22 Q. Do you ever remember picking up any drummed  
 23 or liquid waste from City Auto Stamping?  
 24 A. No, ma'am.

1 Q. What would you do with the waste that you  
 2 picked up from City Auto Stamping?  
 3 A. Brought it up into Dura dump or Stickney or  
 4 later on, over to our dump.  
 5 Q. Once the Hagman Road dump was open you  
 6 would take the stuff to Hagman Road?  
 7 A. Well, after I got the truck full. See,  
 8 that truck would hold, oh -- that was rated  
 9 a 31-yarder is what it was rated at.  
 10 Q. How much could you actually get in it?  
 11 A. Say 31 -- probably 80 or 90 yards. It  
 12 depends on what it was.  
 13 Q. You could get in 80 or 90 yards, that it  
 14 was rated as a 30-yard --  
 15 A. Yeah.  
 16 Q. That was because the waste was compacted?  
 17 A. Yes. On that truck I could pack the doors  
 18 right off the back end of it. That's how  
 19 much packing power it had.  
 20 Q. You could do what?  
 21 A. I could pack the back doors right off of  
 22 it.  
 23 Q. Okay.  
 24 A. I could. I could pop them doors right off

1 of there. They'd have to rebuild the  
 2 thing.  
 3 Q. Okay.  
 4 A. That is the honest truth.  
 5 Q. You mean it was so powerful that you could  
 6 have actually torn up the truck in order to  
 7 --  
 8 A. Yes. Oh, yeah.  
 9 Q. -- because the compaction power was so  
 10 powerful on the machine?  
 11 A. Right.  
 12 Q. Was City Auto Stamping at the beginning of  
 13 your route or the end of your route?  
 14 A. One day it was from the beginning and the  
 15 other day it was in the end. I don't know  
 16 what day it was.  
 17 Q. So you didn't have the same route that you  
 18 ran each day?  
 19 A. I had the same route I ran each day, yes.  
 20 Q. But you might do the route differently?  
 21 A. I might run the route differently, yes.  
 22 Q. Since you were right there at Stickney or  
 23 Dura you didn't usually take their waste to  
 24 Stickney or Dura once Hagman Road opened?

1 A. Like I said, they preferred that I did not.  
 2 Q. Oh. Even for plants that were very close  
 3 to the Dura and Stickney dumps?  
 4 A. Well, like I say, they didn't want me to go  
 5 to the dump until my truck was full. So by  
 6 then I'm liable to be 30 miles down the  
 7 road.  
 8 Q. Did you ever pick up from Cleveland Metal?  
 9 A. Cleveland Metal Abrasives? Yes, I did.  
 10 Q. Did you pick up Cleveland Metal with a rear  
 11 loader?  
 12 A. No, with a front loader.  
 13 Q. Do you know whether Community Sanitation  
 14 Service picked up Cleveland Metal with a  
 15 rear loader?  
 16 A. No, not that I know of. They might have,  
 17 but I don't remember.  
 18 Q. Not to the best of your knowledge?  
 19 A. No.  
 20 Q. Approximately what year did you begin  
 21 picking up at Cleveland Metal?  
 22 A. I only picked it up there about two years I  
 23 think. I don't know. I can't remember  
 24 what two years they were.

1 Q. Well, were they right after you got the  
 2 front loader or was it later on?  
 3 A. Afterwards we got another front loader,  
 4 see? It must have been not too long after  
 5 we got the front loader I suppose.  
 6 Q. Which front loader, the first one?  
 7 A. The first.  
 8 Q. So that would have been approximately 1962  
 9 or '63?  
 10 A. Somewhere right in there.  
 11 Q. What did you pick up from Cleveland Metal?  
 12 A. I don't know, but it was heavy.  
 13 Q. Did you ever see any metal shavings?  
 14 A. No, it was more like little buckshot.  
 15 Q. What did Cleveland Metal make?  
 16 A. As far as I know, that's what they make.  
 17 Q. Buckshot?  
 18 A. They use it in key-bearing parts, in  
 19 like a wheelabrator. Do you know what  
 20 I'm talking about, a wheelabrator?  
 21 Q. Not really.  
 22 A. No?  
 23 Q. Can you explain it to me?  
 24 A. No. I don't think so, but parts go through

1 this and this shot, it shot at them.  
 2 Q. This was like to try to sand off rough  
 3 edges or something?  
 4 A. Right. Say there would be a burr on here.  
 5 You've seen burr's on -- like you drill a  
 6 hole and you might see like a big burr come  
 7 off of it. Well, this shot would clean  
 8 that off without you using a grinder or  
 9 anything, and it would still have its  
 10 shape.  
 11 Q. So these were very fine metal pieces?  
 12 A. Right, very fine.  
 13 Q. That were used for sanding?  
 14 A. Yeah, and that type of thing. Yeah.  
 15 Q. Do you know whether they used these little  
 16 pieces more than once?  
 17 A. I have no idea whether they ever used them  
 18 at all. I don't know. Maybe they made  
 19 them there, I don't know.  
 20 Q. But there were a lot of little metal pieces  
 21 in their waste?  
 22 A. Yeah.  
 23 Q. Do you know what kind of metal it was?  
 24 A. No, ma'am.



<p style="text-align: right;">61</p> <p>1 Q. Were there any other chemicals in their waste?</p> <p>2 A. That I couldn't tell you. But that's all I know, is I tried to figure out why that thing was so heavy and I -- because they sent -- yeah, we got another truck. This had to be later then. That would be later because we got another truck, and they sent him in and he couldn't pick the container up.</p> <p>11 Q. What kind of truck was that?</p> <p>12 A. It was a front loader, but it was -- um-hmm, it was. I can picture it right now.</p> <p>15 Q. Was the truck that you were driving bigger than this other front loader?</p> <p>16 A. Well, like I said, it had a lot more -- the hydraulic power was a lot better on it.</p> <p>19 Q. It was a more powerful truck?</p> <p>20 A. Right. It was --</p> <p>21 Q. But it was about the same size as the other one?</p> <p>22 A. Just about the same size, yeah.</p> <p>24 Q. And what kind of truck do you drive?</p>	<p style="text-align: right;">64</p> <p>1 A. I don't think so, no.</p> <p>2 Q. Did you ever pick up from Community Traction Company?</p> <p>3 A. No, ma'am.</p> <p>5 Q. Did you ever pick up from Conforming Matrix?</p> <p>6 A. No.</p> <p>8 Q. What about Continental Aviation or Teledyne?</p> <p>9 A. Yes, ma'am.</p> <p>11 Q. What type of truck did you use to pick up from Continental Aviation or Teledyne?</p> <p>12 A. Front loader.</p> <p>14 Q. What was the plant known as when you were picking it up? Was it Continental Aviation or Teledyne?</p> <p>15 A. No, Continental Aviation.</p> <p>18 Q. Do you remember what years you were picking up from Continental Aviation?</p> <p>19 A. The first couple years of my employment on the front loader.</p> <p>21 Q. That would have been approximately 1962 or 1963?</p> <p>22 A. Yes, ma'am.</p>
<p style="text-align: right;">62</p> <p>1 A. I don't really think they had a name for it. It was --</p> <p>3 Q. Do you remember who made it?</p> <p>4 A. It was somewhere in California.</p> <p>5 Q. You don't remember the name?</p> <p>6 A. No, ma'am. This other one was an E-Z Pack, Galion E-Z Pack is what this other truck --</p> <p>9 Q. What kind of E-Z Pack?</p> <p>10 A. Galion.</p> <p>11 Q. Galion?</p> <p>12 A. Um-hmm.</p> <p>13 Q. But the Galion would not pick it up?</p> <p>14 A. No.</p> <p>15 Q. Did you --</p> <p>16 A. Not -- I mean this wasn't all the time, but sometimes it'd be that heavy that he couldn't pick it up and he would -- or else he was scared, one or the other. But it would get heavy.</p> <p>21 Q. But you never noticed that the metal was wet?</p> <p>22 A. No, I never noticed that.</p> <p>24 Q. Where did you take this metal?</p>	<p style="text-align: right;">65</p> <p>1 Q. What did you pick up from Continental Aviation?</p> <p>2 A. I don't know. There I had a helper, and this was on a dock again. It wasn't a truck well though, but it was a dock. And he was on the dock and he would push the container up and I would dump it.</p> <p>8 Q. Was your helper an employee of Community Sanitation Service?</p> <p>9 A. Yes, he was.</p> <p>11 Q. What was your helper's name?</p> <p>12 A. Donald Smith.</p> <p>13 Q. Did he always help you for Continental Aviation or did he help you for any other of your pickups?</p> <p>14 A. For about a year he helped me with about all my pickups. Not that I needed him, but I mean --</p> <p>19 Q. He was assigned to you?</p> <p>20 A. Yeah. He's a little slow.</p> <p>21 Q. He worked with you for about a year?</p> <p>22 A. Right around that, yeah.</p> <p>23 Q. Did he continue his employment with Community Sanitation Services after that?</p> <p>24 A. Yes, ma'am. He's still out there at BFI.</p>
<p style="text-align: right;">63</p> <p>1 A. Right in with the other load. Wherever I went. But back then, by that time it was probably Hagman.</p> <p>4 Q. I thought Hagman opened maybe about 1965.</p> <p>5 A. Well, I'm saying, we had this second truck and we didn't get -- I don't know exactly when we got the second truck.</p> <p>8 Q. To the best of your knowledge, did any of the metal from Cleveland Metal ever go to the Stickney, Tyler or Dura landfills?</p> <p>9 A. To the best of my knowledge, no.</p> <p>12 Q. You think it always went to Hagman?</p> <p>13 A. I would think so.</p> <p>14 Q. But you said even after Hagman was open that you still occasionally went down to Stickney and --</p> <p>15 A. Occasionally.</p> <p>18 Q. Actually at that point you said it would probably be Stickney because Dura was closed?</p> <p>19 A. Yeah.</p> <p>22 Q. Do you think that any metal from Cleveland Metal could have gone to the Stickney landfill?</p>	<p style="text-align: right;">66</p> <p>1 A. Yes, ma'am. He's still out there at BFI.</p> <p>2 Q. He works for BFI now?</p> <p>3 A. Yeah, he's a watchman or something.</p> <p>4 Q. How many years was he on a truck?</p> <p>5 A. I couldn't tell you that.</p> <p>6 Q. Was he on a truck when you left Community Sanitation Service?</p> <p>7 A. Yes, ma'am. I don't know what he was doing, but he was -- he was on a truck.</p> <p>9 Q. Did he drive a truck?</p> <p>10 A. No, no, he never drove a truck.</p> <p>11 Q. He was always some type of assistant?</p> <p>12 A. Helper, yes.</p> <p>13 MS. ESTES: Let's go off the record.</p> <p>14 (A short recess was taken.)</p> <p>15 Q. Did I ask you about the Dana Corporation?</p> <p>16 A. Dana?</p> <p>17 Q. Spicer Manufacturing?</p> <p>18 A. No.</p> <p>19 Q. Do you remember picking up from Dana Corporation or Spice Manufacturing Division?</p> <p>20 A. Never did.</p>

1 Q. Did you ever pick up from the DeVilbiss  
2 Company?  
3 A. Not while I was with Community.  
4 Q. Did you pick up from them from Benton?  
5 A. Yeah, roll-off box.  
6 Q. About approximately what year did you pick  
7 up from them?  
8 A. '73, '74, somewhere in there.  
9 Q. What did you pick up in the roll-off box?  
10 A. They were remodeling a building.  
11 Q. What was in the box?  
12 A. Oh, pieces of wood. There was a whole lot  
13 of rubber hose, like air hose. Odds and  
14 ends like that.  
15 Q. Was it only that one time that you picked  
16 up from DeVilbiss?  
17 A. Yeah, that was only the one time I was ever  
18 in there, yes.  
19 Q. So you weren't at DeVilbiss on a regular  
20 basis?  
21 A. No.  
22 Q. Either for Community Sanitation or for  
23 Benton?  
24 A. No, ma'am.

1 Q. Sir, if as we're going through this list  
2 you recognize a company that you picked up  
3 from from Mr. Benton, if you could let me  
4 know that, that would be helpful. Do we  
5 need to go through the --  
6 A. No, we don't need to --  
7 Q. -- first part of the list again?  
8 A. No, no. We're all right. I can tell you  
9 that.  
10 Q. Did you ever pick up from Doehler-Jarvis or  
11 Doehler Diecasting?  
12 A. No, ma'am.  
13 Q. Did you ever pick up from the Dura  
14 Corporation?  
15 A. Yes, ma'am.  
16 Q. Where was the Dura plant located?  
17 A. Right next door to City Auto Stamping on  
18 Dura Avenue, or Matzinger, whichever you  
19 want to call it.  
20 Q. What did you pick up from Dura Corporation?  
21 A. That was when I had the rear loader and I  
22 had to get up on the top and dump it down  
23 into the truck, 55-gallon drums. But they  
24 were open drums, you know. They'd cut the

1 tops out and they used them throughout the  
2 factory to put -- the sweepers would use  
3 them. Then they'd bring them out there and  
4 I'd dump them.  
5 Q. These were floor sweepings that were in  
6 there?  
7 A. Yeah, floor sweepers.  
8 Q. Did the sweepings appear to be wet?  
9 A. Well, I -- yeah.  
10 Q. Did they have a chemical smell to them?  
11 A. That I couldn't tell you anything about a  
12 chemical smell.  
13 Q. Do you understand what I mean when I ask  
14 that question?  
15 A. Yes, ma'am.  
16 Q. Was there anything other than floor  
17 sweepings in the waste?  
18 A. There was like splashing from diecasting.  
19 Q. Splashing of paint?  
20 A. No. Diecast that they -- they liquefy the  
21 metal and then pour it in a mold. And  
22 sometimes that would be a thing like this  
23 (indicating), just a thin sheet.  
24 Q. A thin sheet of metal?

1 A. Yeah, just maybe so big.  
2 Q. How big would that be?  
3 A. Well, two inches around the piece maybe or  
4 an inch around the piece. It would have  
5 just this little flashing of metal. It  
6 might not even be a solid. It might look  
7 like a fish net or anything, but them would  
8 be in there.  
9 Q. Was it solid metal or kind of sluggy or --  
10 A. I suppose it was solid metal, yeah.  
11 Q. Would it appear to be -- did it appear to  
12 be solid?  
13 A. Yeah.  
14 Q. It wasn't sludge or anything like that?  
15 A. No. It was like it was just too much of it  
16 in this mold, and it just splashed out.  
17 Q. Usually splashing, you think of splashing  
18 as being a liquid.  
19 A. Well at the time the metal is poured in  
20 there it is a liquid.  
21 Q. And then later it hardens?  
22 A. Yeah, very fast.  
23 Q. So when it was in the trash it had always  
24 hardened?

1 A. Oh, yes, it had always hardened by then,  
2 yes.  
3 Q. Did you notice anything else in their  
4 waste?  
5 A. Not especially, no.  
6 Q. Did you ever pick up any drummed or liquid  
7 waste from Dura Corporation?  
8 A. No, ma'am.  
9 Q. Did you pick up from Dura Corporation once  
10 you were driving the front loader?  
11 A. No.  
12 Q. So that would have been prior to 1962?  
13 A. Yeah.  
14 Q. How many years did you pick up from Dura  
15 Corporation, to the best of your knowledge?  
16 A. About four or five years.  
17 Q. Did you pick up from DuPont?  
18 A. Yes, ma'am.  
19 Q. What did you pick up from DuPont?  
20 A. I picked up both with the rear loader and  
21 the front loader at, you know, different  
22 times. But I mean --  
23 Q. What was in DuPont's waste?  
24 A. Most of it that I saw, when I came out of

1 there I looked like a rainbow.  
2 Q. Why is that?  
3 A. Especially when I was on the rear loader,  
4 when I was on the rear loader. Do you know  
5 what paint pigment is?  
6 Q. Yes.  
7 A. Okay. They'd have these bags of all  
8 different color paint pigment and they'd be  
9 dumped out, you know, used up in there, in  
10 the factor, and they was thrown in these  
11 carts and they'd bring them out for me to  
12 dump. And there was no way to dump them,  
13 I'd have to just pull the bags out of there  
14 by hand and throw them down here into the  
15 rear loader.  
16 Q. So these were empty bags of paint pigment  
17 that had a little bit left over?  
18 A. Just the -- well, stuff that just wouldn't  
19 come out, you know, but it did come out on  
20 me.  
21 Q. How big were the bags?  
22 A. Probably 10, 20-pound size.  
23 Q. And do you have any estimate as to how much  
24 was in the bags?

<p style="text-align: right;">73</p> <p>1 A. How much?</p> <p>2 Q. Yes. Once they were in the trash.</p> <p>3 A. No, I have no estimate.</p> <p>4 Q. And how much was -- what percentage of the waste would be these bags of paint pigment?</p> <p>5 A. Probably 90 percent.</p> <p>7 Q. How much did you pick up from DuPont?</p> <p>8 A. Oh, about seven of those carts. The carts were probably about three yards.</p> <p>10 Q. Seven three-yard carts?</p> <p>11 A. Yeah.</p> <p>12 Q. How often did you pick up from DuPont?</p> <p>13 A. Three times a week.</p> <p>14 Q. Did you ever pick up drummed or liquid waste from DuPont?</p> <p>15 A. No, I never did.</p> <p>17 Q. Where did you take the DuPont waste?</p> <p>18 A. Well, when I was on the rear loader it could have went anywhere, you know. Dura probably.</p> <p>21 Q. So probably Dura, and then possibly Stickney?</p> <p>22 A. Probably.</p> <p>24 Q. And on less frequent occasions to Tyler?</p>	<p style="text-align: right;">76</p> <p>1 how I could get in touch with Max?</p> <p>2 A. No.</p> <p>3 Q. Are you familiar with or did you ever pick up from Earl Scheib of Ohio? The automobile paint --</p> <p>5 A. Yeah, I know what you're talking about. For Mr. Benton I did.</p> <p>8 Q. And when did you pick up from -- what years did you pick up from Earl Scheib of Ohio?</p> <p>10 A. Probably '73 or '74, somewhere in there.</p> <p>11 Q. What did you pick up from Earl Scheib?</p> <p>12 A. The paper they put around the -- when they'd mask the car off.</p> <p>14 Q. The paper would have paint on it, would it not?</p> <p>15 A. Yes.</p> <p>17 Q. Where was this paper taken to?</p> <p>18 A. Well, what year did Mr. Benton open his landfill out there?</p> <p>20 Q. Sir, I need you to tell me to the best of your knowledge.</p> <p>22 A. You need me to tell you?</p> <p>23 Q. Yes.</p> <p>24 A. Okay. You want to know where it goes?</p>
<p style="text-align: right;">74</p> <p>1 A. Right.</p> <p>2 Q. You said that you knew that someone picked up drummed waste from DuPont?</p> <p>3 A. Yeah.</p> <p>5 Q. Who was that?</p> <p>6 A. Max Klukas.</p> <p>7 Q. Do you know how much Max picked up from DuPont?</p> <p>8 A. No. No, ma'am.</p> <p>10 Q. What type of truck did Mr. Klukas drive?</p> <p>11 A. Most of the time it was a semi.</p> <p>12 Q. Do you know how many 55-gallon barrels might have fit into this semi?</p> <p>13 A. No, ma'am.</p> <p>15 Q. Do you know whether they were -- there was one story of barrels or whether they put barrels on top of barrels?</p> <p>17 A. These were all open barrels.</p> <p>19 Q. The DuPont waste was open barrels?</p> <p>20 A. Yeah.</p> <p>21 Q. But you don't have any idea how many barrels he picked up from DuPont?</p> <p>22 A. No.</p> <p>24 Q. Or how often?</p>	<p style="text-align: right;">77</p> <p>1 Q. Yes.</p> <p>2 A. Probably went to Dura. Not to Dura, but to Stickney. No, it probably went to the Hagman -- not the Hagman, Huffman. They had that open by then.</p> <p>5 Q. So you don't think it went to the Stickney dump, the waste from Earl Scheib?</p> <p>8 A. I don't think it was open then. I think they closed it in the --</p> <p>10 Q. Do you remember anything else in the Earl Scheib waste?</p> <p>12 A. Nope. No, that was all I ever got.</p> <p>13 Q. Just the masking tape with paint on it?</p> <p>14 A. Yeah.</p> <p>15 Q. Are you familiar with a company called the Edelstein Company?</p> <p>17 A. Yeah.</p> <p>18 Q. What did the Edelstein Company do?</p> <p>19 A. They're a junkyard.</p> <p>20 Q. An automobile junkyard or what kind of junkyard?</p> <p>22 A. No, they were just a scrap yard.</p> <p>23 Q. Scrap metal?</p> <p>24 A. Yeah.</p>
<p style="text-align: right;">75</p> <p>1 A. No. But they were all open, I know that.</p> <p>2 Q. Did anyone else other than Max Klukas --</p> <p>3 A. Well, he just took them to the dump and dumped them and brought them back. They used them over.</p> <p>5 Q. He emptied the barrels?</p> <p>7 A. Yeah. But he'd empty them right in the dump.</p> <p>9 Q. Which dump was that?</p> <p>10 A. Dura.</p> <p>11 Q. Did he also dump these barrels at Stickney or Tyler?</p> <p>13 A. Not that I know of. I mean, he could have, but not that I know of.</p> <p>15 Q. You never saw him in Stickney or Tyler?</p> <p>16 A. No.</p> <p>17 Q. Did anyone else to your knowledge also pick up drummed or liquid waste from DuPont?</p> <p>19 A. Not that I know of, no.</p> <p>20 Q. Did Community Sanitation Service also have a pickup truck that picked up barrels of liquid waste?</p> <p>22 A. Not that I know of.</p> <p>24 Q. No? Okay. And you wouldn't have any idea</p>	<p style="text-align: right;">78</p> <p>1 Q. To your knowledge did the Edelstein Company ever dump waste at Stickney, Tyler or Dura?</p> <p>3 A. Did they ever dump -- not that I know of, no.</p> <p>5 Q. Did you ever pick up from the Edelstein Company?</p> <p>7 A. No, ma'am.</p> <p>9 Q. Did you ever pick up from Farley, Inc.?</p> <p>10 A. No. I never heard of it.</p> <p>11 Q. I think they later -- I think they were the ones that purchased Doehler-Jarvis. Did you ever pick up from Federal Mogul Corporation?</p> <p>13 A. No.</p> <p>15 Q. Flower Memorial Hospital? Did you ever pick up from them?</p> <p>17 A. Years and years and years ago, yeah.</p> <p>19 Q. Approximately what year?</p> <p>20 A. When they were still downtown. They used to be on Cherry Street.</p> <p>22 Q. Do you happen to know what year they were on Cherry Street, or what years?</p> <p>24 A. No, I can't tell you the years.</p>

1 Q. Do you know when they moved?  
 2 A. I remember I used to pick them up.  
 3 Q. And did you pick them up with the rear  
 4 loader?  
 5 A. No, the front loader.  
 6 Q. The front loader?  
 7 A. The hardest stop I ever had.  
 8 Q. Why?  
 9 A. I just -- the way they had it set up. You  
 10 had to drive in off of Cherry Street, and  
 11 it was just a little U-turn down in there,  
 12 and you had to put a front loader down in  
 13 there and go inside, get a compact and  
 14 six-yard container out, roll it out, and it  
 15 never would roll right, and then dump it  
 16 and put it back in there and hook it back  
 17 up and try to get back out on Cherry Street  
 18 again. And all the time somebody else is  
 19 sitting there waiting to get in.  
 20 Q. What was in the six-yard container?  
 21 A. Honey, I didn't look very close. I really  
 22 couldn't tell you.  
 23 Q. You didn't ever notice what was in there?  
 24 A. It smelled bad and it was awful.

1 Q. Smelled bad how?  
 2 A. Sickening.  
 3 Q. Were there chemical smells?  
 4 A. I don't know whether they were chemical or  
 5 human or what they were.  
 6 Q. Was the waste blood-soaked?  
 7 A. Yeah. Yes.  
 8 Q. But you didn't -- did you ever notice any  
 9 cleaning solutions in the waste?  
 10 A. No, not necessarily. No.  
 11 Q. No empty bottles of solutions where the  
 12 cleaning staff might have --  
 13 A. No.  
 14 Q. -- might have cleaned?  
 15 A. No.  
 16 Q. Did Flower Memorial Hospital have an  
 17 incinerator?  
 18 A. Not at that time, no.  
 19 Q. When did they get an incinerator?  
 20 A. I have no idea.  
 21 Q. Did you pick them up once they got an  
 22 incinerator?  
 23 A. No. I don't think they got it until they  
 24 moved out to the other place.

1 Q. How often would you pick up from Flower  
 2 Memorial Hospital?  
 3 A. Three times a week.  
 4 Q. And that would be one six-yard container  
 5 three times a week?  
 6 A. Um-hmm.  
 7 Q. Did you ever pick up from General Telephone  
 8 or GTE North, Incorporated?  
 9 A. When I was working for Bob Benton.  
 10 Q. What years did you pick up from General  
 11 Telephone?  
 12 A. I probably picked up '70 to '72.  
 13 Q. What did you pick up from General  
 14 Telephone?  
 15 A. Not much of anything really.  
 16 Q. Had to be something.  
 17 A. They had a container.  
 18 Q. How big was the container?  
 19 A. About three yard. There was never anything  
 20 sticking out of it, you know, where it  
 21 would be overloaded. And I never got out  
 22 to look.  
 23 Q. What kind of vehicle were you driving when  
 24 you picked up from General Telephone?

1 A. Front loader. That's the only thing I ever  
 2 -- well, that isn't either.  
 3 Q. Did you ever pick up drummed or liquid  
 4 waste from --  
 5 A. No.  
 6 Q. -- General Telephone?  
 7 A. No, ma'am.  
 8 Q. Did you ever pick up from General Mills?  
 9 A. When I was working for Mr. Benton. I drove  
 10 a roll-off in there. They had some kind of  
 11 a bad batch of corn flakes or Kix or  
 12 whatever.  
 13 Q. Some bad batch of cereal?  
 14 A. Yeah, and then we had a bunch of roll-off  
 15 trucks. We each got in line and went and  
 16 got a load and that was it.  
 17 Q. Did you ever -- was that just one occasion?  
 18 A. That was just one occasion.  
 19 Q. So you did not pick up from General Mills  
 20 on a regular basis, okay.  
 21 A. No, ma'am.  
 22 Q. Did you ever pick up from General Motors or  
 23 the GM Powertrain Division?  
 24 A. No, ma'am.

1 Q. I think it was also known as Chevrolet  
 2 Transmission?  
 3 A. Chevrolet, yes, ma'am.  
 4 Q. Did you ever pick up from them?  
 5 A. No.  
 6 Q. Do you know who did?  
 7 A. No.  
 8 Q. Do you ever remember seeing any trucks from  
 9 GM at either the Stickney, Tyler or Dura  
 10 landfills?  
 11 A. No.  
 12 Q. Did you ever pick up from Textileather?  
 13 A. Yes, ma'am.  
 14 Q. Who did you pick up for? Was that for  
 15 Community?  
 16 A. No, that was for Mr. Benton. Roll-off  
 17 boxes. They had some sitting there for --  
 18 that would sit there for -- they'd call in  
 19 when they wanted it dumped. That's all the  
 20 times I was ever in --  
 21 Q. How big was the roll-off box at  
 22 Textileather?  
 23 A. Probably 30 yards, but I'm not sure. It  
 24 was either a 20 or a 30, but I think it was

1 probably a 30.  
 2 Q. How often would you pick up from  
 3 Textileather?  
 4 A. Maybe once a week or maybe once every two  
 5 weeks. Whenever they got that box full.  
 6 It was mostly rolls of material that had  
 7 flaws in it, and they were throwing it  
 8 away.  
 9 Q. So this was the fake leather product --  
 10 A. Yes, ma'am.  
 11 Q. -- that they manufactured?  
 12 A. Yes.  
 13 Q. And they would be throwing that away?  
 14 A. Yeah.  
 15 Q. Did you notice any floor sweepings --  
 16 A. No, not in --  
 17 Q. -- in their waste?  
 18 A. No, I never saw anything like that in  
 19 there.  
 20 Q. Did you ever pick up any drummed or liquid  
 21 waste from Textileather?  
 22 A. No, ma'am.  
 23 Q. Do you know anybody that did pick up  
 24 drummed or liquid waste from Textileather?

1 A. No.  
 2 Q. Did you ever pick up from Goodyear?  
 3 A. Goodyear? No.  
 4 Q. Let me back up a minute. Where did you  
 5 take the waste from Textileather?  
 6 A. To Benton's -- to Evergreen.  
 7 Q. Did you ever pick up from Textileather and  
 8 take waste to any other landfill prior to  
 9 Evergreen being open?  
 10 A. Not that I know of, no.  
 11 Q. So you only remember taking Textileather  
 12 waste to Evergreen?  
 13 A. Yeah.  
 14 Q. You said you didn't remember or you never  
 15 picked up waste from Goodyear?  
 16 A. No.  
 17 Q. Did you ever pick up waste from Gulf Oil  
 18 Corporation?  
 19 A. No, ma'am.  
 20 Q. Or the Gulf refinery?  
 21 A. No.  
 22 Q. Houghton Elevators? Did you ever pick  
 23 up from them?  
 24 A. Yes, ma'am.

1 Q. Who did you pick up for?  
 2 A. That was Community.  
 3 Q. Do you remember what years you picked up  
 4 from Houghton?  
 5 A. Let's see, let me think. Probably '58. I  
 6 started with a rear loader, and I picked up  
 7 probably -- then I jumped over to a front  
 8 loader in Sixty, say '62. Then I picked up  
 9 -- they changed it all over then to a front  
 10 loader operation. Then I picked it up,  
 11 probably that was '64 or '65. Yeah.  
 12 Q. What did you pick up from Houghton  
 13 Elevators?  
 14 A. Floor sweepings, cardboard boxes, that type  
 15 of thing.  
 16 Q. Did you ever pick up any drummed or liquid  
 17 waste?  
 18 A. No, ma'am.  
 19 Q. Do you know of anyone that did pick up any  
 20 drummed or liquid waste?  
 21 A. No, ma'am.  
 22 Q. Do you know whether they generated drummed  
 23 or liquid waste?  
 24 A. No, I have no idea.

1 Q. Did you ever pick up from Hunt's Foods?  
 2 A. For Bob Benton.  
 3 Q. What years did you pick up from Hunt's  
 4 Foods?  
 5 A. The only time I ever picked up from Hunt's  
 6 Foods would be through the tomato season.  
 7 And then everybody helped out because it  
 8 was an around-the-clock deal. They wanted  
 9 people there around the clock.  
 10 Q. What did they do?  
 11 A. They made ketchup and they -- when the  
 12 harvest came in, it came in around the  
 13 clock and they had to have people there all  
 14 the time to take away the garbage.  
 15 Q. So what was in the garbage?  
 16 A. Most of the time it was tomato pulp and bad  
 17 tomatoes, that type of thing.  
 18 Q. Was there anything other than tomatoes or  
 19 tomato pulp in their waste?  
 20 A. Not in the waste that I took, no.  
 21 Q. Did you ever pick up from ITW or Illinois  
 22 Tool Works?  
 23 A. No.  
 24 Q. Do you know of anyone that did pick up from

1 ITW or Illinois Tool Works?  
 2 A. No.  
 3 Q. Did you ever see a truck from Illinois Tool  
 4 Works at the Stickney, Tyler or Dura  
 5 landfills?  
 6 A. I never even heard of the place.  
 7 Q. It may have been located in Maumee. I have  
 8 an address at Indian Wood Circle. Is that  
 9 familiar to you?  
 10 A. Indian Wood Circle.  
 11 Q. 1724 Indian Wood Circle.  
 12 A. That was just built though.  
 13 Q. That's the only address that I have.  
 14 A. Yeah. I mean, from that address, it would  
 15 never go in any of these dumps around here,  
 16 you know. You know what I'm talking about.  
 17 But -- no, I never even heard of that  
 18 company.  
 19 Q. Did you ever pick up from Industrial  
 20 Heating?  
 21 A. No.  
 22 Q. Inland --  
 23 A. No, ma'am.  
 24 Q. Inland Chemical Division?

1 A. Inland? Inland Chemical. Is there another  
 2 name for that?  
 3 Q. No. I think I have an address though.  
 4 A. Inland. I was trying to think of what they  
 5 did. Is that a steel company?  
 6 Q. Inland was located on 1120 Bush Street to  
 7 the best of my knowledge.  
 8 A. Bush? No. I never had anything down in  
 9 there.  
 10 Q. Did you ever pick up anything from Inmont  
 11 Manufacturing on Buckingham?  
 12 A. Yes, ma'am.  
 13 Q. What did you pick up from Inmont?  
 14 A. It's the same thing as -- they made the  
 15 same stuff as Textileather.  
 16 Q. So did you pick up paint pigments from  
 17 Inmont?  
 18 A. No, no. I picked up --  
 19 Q. That was DuPont, excuse me. Go ahead, what  
 20 did you pick up from Inmont?  
 21 A. When they'd make the imitation leather, and  
 22 it's three or four thicknesses, different  
 23 things added and run through these presses,  
 24 in a long, long ribbon. And then they're

1 sliced to size and there's always an inch  
 2 or two on each side that is cut off, and  
 3 those ribbons were put in these -- they  
 4 had, I don't know how many. Let's see,  
 5 probably seven or eight yard and a halves,  
 6 and then they had about --  
 7 Q. Is that a yard and a half container?  
 8 A. Front loader container, yes. And they had  
 9 I think about 13 three-yard containers.  
 10 And that's usually what was in there.  
 11 Q. How often did you pick up from Inmont?  
 12 A. Three times a week.  
 13 Q. Did you ever see anything else in their  
 14 waste other than the ribbons of thick  
 15 leather?  
 16 A. One three-yard had paper bags in it.  
 17 Q. What was in the paper bags?  
 18 A. I have no idea what was in the paper bags,  
 19 dear. But I remember -- we used to have to  
 20 go in and get them, get these containers  
 21 and wheel them outside ourselves. And then  
 22 later on they started bringing them out  
 23 with a forklift when they found out it was  
 24 that much easier and they had an extra man

1 to do it. But there was a man on like a  
 2 second story deal, and this forklift would  
 3 come in there with this pallet of bags. I  
 4 don't know what was in them.  
 5 Q. It was on a second story deal, what do you  
 6 mean by a deal?  
 7 A. Well, like a platform so that he was  
 8 probably 12 feet in the air on this  
 9 platform, and this forklift would bring in  
 10 this pallet load of bags filled with  
 11 whatever powder was in it, and this guy  
 12 would dump them down this chute. And where  
 13 they went from there, I have no idea. But  
 14 he'd take the bag then and throw it in this  
 15 -- in our container. So there was always  
 16 this one container was full of them bags.  
 17 But I have no idea what was in them.  
 18 Q. Was this the chemicals that were used in  
 19 making the leather product?  
 20 A. I suppose. I have no idea what it was  
 21 really.  
 22 Q. Was there ever residue in the bags to the  
 23 best of your knowledge?  
 24 A. Well, yeah, there was always something left

1 in there. I mean, he dumped them as fast  
 2 as he could dump them and just threw the  
 3 bag. You know, he didn't care whether he  
 4 got it all out.  
 5 Q. And how big was the container that had the  
 6 bags in them?  
 7 A. Three yard.  
 8 Q. And how often did you pick up this  
 9 three-yard container?  
 10 A. Three times a week.  
 11 Q. And there was just one three-yard container  
 12 that had the bags in them?  
 13 A. Yeah, the rest was all other stuff.  
 14 Q. What did you do with this waste?  
 15 A. I think that all probably went to Dura.  
 16 Q. And if there was a fire at Dura, could that  
 17 have gone to Stickney?  
 18 A. Yes, ma'am.  
 19 Q. Did you ever take any drummed or liquid  
 20 waste from Inmont to the Stickney, Tyler or  
 21 Dura landfills?  
 22 A. No, ma'am.  
 23 Q. Do you know, are you aware of whether any  
 24 drummed or liquid waste was taken from

1 Inmont?  
 2 A. No, I'm not.  
 3 Q. You have no idea whether they generated  
 4 drummed or liquid waste?  
 5 A. No, I have no idea.  
 6 Q. Did you ever pick up from Inshield Die?  
 7 A. No.  
 8 Q. Did you ever pick up from Inter-Chemical?  
 9 Not Inland, but Inter-Chemical?  
 10 A. What's the address on that?  
 11 Q. I'm sorry, I don't have an address.  
 12 A. Oh, you don't have it. The name is  
 13 familiar, but I'm trying to think. I'd say  
 14 no.  
 15 Q. Did you ever pick up from the J. C. Penney  
 16 Company?  
 17 A. No.  
 18 Q. Did you ever pick up from Jeep Eagle? I  
 19 think I asked you that.  
 20 A. Yeah. No, I never picked up.  
 21 Q. Did you ever pick up from Jones &  
 22 McLaughlin Steel?  
 23 A. No.  
 24 Q. Did you ever pick up from the Kroger

1 Company?  
 2 A. Yes.  
 3 Q. Who was that for? What company was that  
 4 for?  
 5 A. For both.  
 6 Q. You picked up for Community Sanitation  
 7 Services and for Robert Benton?  
 8 A. Later, yes.  
 9 Q. What years did you pick up from the Kroger  
 10 Company for Community Sanitation Services?  
 11 A. It started out right away. About '58.  
 12 Q. And that was a rear loader?  
 13 A. Rear loader. And right on through, and  
 14 then changed over to front loader.  
 15 Q. Would that have been in approximately 1962?  
 16 A. That's about it.  
 17 Q. And how many years after you started the  
 18 front loader did you pick up from Kroger?  
 19 A. Well, let's see. After BFI got really into  
 20 the bidding deal and then Benton got into  
 21 the bidding deal, everybody was cutting  
 22 everybody's throats trying to get more  
 23 business. That's probably '67 I suppose,  
 24 the last time I picked it up.

1 Q. For Community?  
 2 A. Yeah.  
 3 Q. When did Benton -- did Benton get the  
 4 account after that?  
 5 A. Yeah.  
 6 Q. And when did you pick up at Kroger for  
 7 Benton?  
 8 A. He had me on a front loader route for two  
 9 years I suppose. Yeah, probably from '70  
 10 to '72.  
 11 Q. What was in the Kroger waste when you were  
 12 picking up from Community Sanitation  
 13 Services?  
 14 A. The biggest item was chicken crates. They  
 15 had chicken sales every weekend and they  
 16 all came packaged in crates with ice. And  
 17 they would throw all them out. There would  
 18 be 50 to 60 to 70 of them every weekend.  
 19 Q. Anything else other than the chicken  
 20 crates?  
 21 A. Well, all the floor sweepings and the  
 22 broken glass and -- somebody was always  
 23 knocking something off a shelf, you know,  
 24 and breaking that. That type of thing.

1 That's all I ever saw in the stuff.  
 2 Q. Did you ever see any empty bottles of  
 3 cleaning fluids?  
 4 A. No, I didn't. I never saw any, no.  
 5 Q. Did you ever pick up from the Leaseway  
 6 Corporation?  
 7 A. No.  
 8 Q. I think they were also known as Refiners.  
 9 A. No.  
 10 Q. Have you ever picked up from Libbey Glass?  
 11 A. No.  
 12 Q. Libbey-Owens-Ford?  
 13 A. Yes, for Mr. Benton.  
 14 Q. Where was Libbey-Owens-Ford located?  
 15 A. Dixie Highway in Rossford.  
 16 Q. What years did you pick up from  
 17 Libbey-Owens-Ford?  
 18 A. Anywhere from '70 to probably '85.  
 19 Q. What was in the trash of Libbey-Owens-Ford?  
 20 A. Big hunks of wood.  
 21 Q. What was the wood used for, do you know?  
 22 A. That I don't know.  
 23 Q. What else?  
 24 A. Well, most of the stuff they put in a

1 compacting unit which holds 40 yards of  
2 compacted garbage. But they had 20 and  
3 30-yard other boxes sitting throughout the  
4 factories and they would -- I would go dump  
5 whatever they told me to go dump.  
6 Q. Do you know approximately how much you  
7 would pick up from Libbey-Owens-Ford in a  
8 typical day?  
9 A. How much you would pick up?  
10 Q. Yes. How many 40-yard compactors.  
11 A. At least one a day, and some -- back then,  
12 when they were really wide open, they --  
13 you might get one and a half a day, or  
14 average out, you know, to -- well, you  
15 would get three in two days, you know what  
16 I'm talking about.  
17 Q. And in addition to that, approximately how  
18 many 20 to 30-yard containers were there in  
19 a plant?  
20 A. Usually there was about four 30-yarders and  
21 a couple of 20's.  
22 Q. And how many of those would be picked up  
23 each time?  
24 A. I guess that depends on how much work they

1 -- where they was doing the work at. But  
2 I'd say at least two 30-yards a day went  
3 out of there.  
4 Q. So you picked up from Libbey-Owens-Ford  
5 every day?  
6 A. I didn't, no.  
7 Q. Benton did?  
8 A. Benton did.  
9 Q. And where was the waste from  
10 Libbey-Owens-Ford taken?  
11 A. When I was with them, it all went right to  
12 his landfill there.  
13 Q. Are you referring to the Evergreen  
14 landfill?  
15 A. Evergreen landfill.  
16 Q. I think Mr. Benton told me that the  
17 Evergreen landfill wasn't open until  
18 approximately '74. Is it possible that you  
19 could have taken the Libbey-Owens-Ford  
20 waste to another landfill?  
21 A. I didn't say I picked it up before that,  
22 did I?  
23 Q. I think you said from '70 to '85, yes.  
24 A. Then I'm mistaken because I never took it

1 anywhere else.  
2 Q. Was there glass in the waste?  
3 A. Very little.  
4 Q. But there was some?  
5 A. Some, yes.  
6 Q. Did you ever pick up any drummed or liquid  
7 waste from Libbey-Owens-Ford?  
8 A. No, ma'am.  
9 Q. Did you ever pick up any waste from  
10 Owens-Illinois?  
11 A. No.  
12 Q. Did you ever pick up any waste from Lub X  
13 Corporation?  
14 A. No, ma'am.  
15 Q. Mather Spring?  
16 A. Yes.  
17 Q. Who did you pick up -- what company did you  
18 pick up for?  
19 A. Community.  
20 Q. What years did you pick up to the best of  
21 your knowledge?  
22 A. I was on the front loader.  
23 Q. So that would have been beginning in  
24 approximately 1962 or '63?

1 A. Yeah, somewhere in there.  
2 Q. What did you pick up from them?  
3 A. Well, they had an eight-yard container  
4 sitting right on a railroad track at the  
5 end of a dock.  
6 Q. End of a dock?  
7 A. Dock. And they almost always had to have  
8 the overhead crane help the truck pick it  
9 up to dump it.  
10 Q. Why?  
11 A. It was full of -- well, they would heat  
12 these, what do I want to call it? They  
13 call them different things now. We'll call  
14 it a tie rod. They used to make tie rods.  
15 Q. Is that what they were called then?  
16 A. That's what they still call them now. I'm  
17 not sure they make them now though. They  
18 make stabilizer bars now. But anyhow they  
19 would heat these ends and then they would  
20 hit them with this machine to forge them in  
21 the shape they wanted them in. And this  
22 metal that was knocked off there was like  
23 scraping this --  
24 Q. Shavings?

1 A. Shavings, you might call it that. It was  
2 all full of that. That's probably all that  
3 was in there because it was heavy.  
4 Q. Do you know what kind of metal it was?  
5 A. Probably iron, but I have no idea for sure.  
6 Q. And how big a container would you pick up  
7 from them?  
8 A. Eight yarder.  
9 Q. How often did you pick up the eight-yard  
10 container?  
11 A. Twice a week.  
12 Q. Were you the only one from Community at the  
13 time that picked that plant up, or were  
14 they picked up more often?  
15 A. I don't think there was any other truck  
16 that could handle it, even with the  
17 overhead crane helping them.  
18 Q. Where did you take this waste?  
19 A. At that time, it probably went to the Dura  
20 dump.  
21 Q. Is it also possible that it went to the  
22 Stickney landfill?  
23 A. Yes, it's possible.  
24 Q. Is it possible that it went to the Tyler

1 landfill?  
2 A. That's possible.  
3 Q. Did you ever pick up from the Matlack  
4 Company?  
5 A. No.  
6 Q. Did you ever pick up from Maumee Chemical?  
7 A. No.  
8 Q. Let me back up a minute. Was there ever  
9 any drummed or liquid waste from Mather  
10 Springs?  
11 A. No.  
12 Q. Do you know whether Community might have  
13 picked up drummed or liquid waste from  
14 Mather Spring?  
15 A. No, I have no idea about it. No.  
16 Q. Did you ever pick up from Mercy Hospital?  
17 A. No.  
18 Q. From Mulberry Phosphates, Inc.?  
19 A. Nope.  
20 Q. Nabisco?  
21 A. For Mr. Benton, a couple roll-off boxes is  
22 all.  
23 Q. What years was this?  
24 A. Oh, gosh. Somewhere in the Seventies, late

1 Seventies.  
 2 Q. Late Seventies?  
 3 A. Yeah.  
 4 Q. Where did you take that waste?  
 5 A. I'm sure I took it to Evergreen.  
 6 Q. Did you ever pick up from National  
 7 Laboratories?  
 8 A. Yes, ma'am.  
 9 Q. Who did you pick up for?  
 10 A. Community.  
 11 Q. Do you know what year you picked up, or  
 12 what years you picked up National  
 13 Laboratories?  
 14 A. Yeah, I picked up with the rear loader.  
 15 And then I put it right over onto the front  
 16 loader.  
 17 Q. So that would have been starting around  
 18 1958?  
 19 A. Yeah.  
 20 Q. And then in '62, going to the front loader?  
 21 A. Yes, ma'am.  
 22 Q. What was in the waste of National  
 23 Laboratories?  
 24 A. There was a lot of junk in that. I can't

1 tell you exactly what was in there, but I  
 2 know some of it would burn you if it got on  
 3 you.  
 4 Q. So some type of chemicals?  
 5 A. It was some type of chemicals in that,  
 6 because I know when I would get to the  
 7 landfill, the bulldozer operator would  
 8 always ask me if I had National Lab on  
 9 there. And I told him, because I guess  
 10 somebody was standing around there and the  
 11 bulldozer ran over this case of stuff and  
 12 he got all burned up, you know,  
 13 chemical-wise. He was just a man that  
 14 lived on the landfill, you know what I'm  
 15 talking about, but he --  
 16 Q. Some kind of vagrant?  
 17 A. Yes. But he was a human being, you know.  
 18 And I didn't want to get hurt like that and  
 19 I wouldn't want nobody to get hurt like  
 20 that.  
 21 Q. Did they often have large containers that  
 22 were thrown out in their waste?  
 23 A. Not that I know of, no.  
 24 Q. Do you happen to have any idea how big the

1 container was in this incident that you  
 2 discussed?  
 3 A. No, I have no idea. I thought he was  
 4 talking like a case of, oh, what they make,  
 5 they make Lysol, something like that.  
 6 Whether it was a case too strong or too  
 7 what, it was thrown out.  
 8 Q. But you have no idea -- how big is the case  
 9 that you're talking about?  
 10 A. Oh, probably about the size of your case.  
 11 Q. Size of my briefcase?  
 12 A. Yeah, somewhere in there. Maybe not quite  
 13 that tall.  
 14 Q. Let's see, I'm not real good at estimating,  
 15 so what is that, about three inches high --  
 16 A. No.  
 17 Q. -- by --  
 18 A. Raise it up a way.  
 19 Q. Oh, open?  
 20 A. Yes, open. But it wasn't quite that high.  
 21 It'd be more where your thumb is.  
 22 Q. Can you help me estimate the size of it?  
 23 THE REPORTER: That's about 12 by  
 24 18.

1 A. Somewhere in there, yeah. That's --  
 2 Q. Twelve by 18 by 18?  
 3 A. Something like that.  
 4 Q. Was it a similar shape?  
 5 A. Similar.  
 6 Q. Did you see containers this size fairly  
 7 often in the trash of National  
 8 Laboratories?  
 9 A. No. I didn't even see that one. I'm just  
 10 going by what they told me at the landfill,  
 11 you know.  
 12 Q. Oh, okay.  
 13 A. Because they got to where they was always  
 14 asking me if it was on that load, and I  
 15 would tell them.  
 16 Q. But their trash regularly had chemicals in  
 17 it?  
 18 A. I suppose. I can't say for certain that  
 19 they always had chemicals in it.  
 20 Q. Were you ever burned by trash from National  
 21 Laboratories?  
 22 A. No.  
 23 Q. Where did you take the trash of National  
 24 Laboratories?

1 A. To Dura dump at first, until they closed  
 2 it. Then wherever else they told me to  
 3 take it.  
 4 Q. Did you ever take National Laboratories'  
 5 trash to Stickney?  
 6 A. I suppose so.  
 7 Q. Could it have also gone to Tyler?  
 8 A. Not very easily. Not with that truck I  
 9 had.  
 10 Q. Because you didn't drive the front loader  
 11 on Tyler?  
 12 A. Yeah. I tried to stay out of there.  
 13 Q. Where was the National Laboratories' plant  
 14 located?  
 15 A. Lewis Avenue and Laskey Road.  
 16 Q. Do you remember ever taking any drummed or  
 17 liquid waste from National Laboratories?  
 18 A. No, ma'am.  
 19 Q. Do you know if anyone, or if Community  
 20 Sanitation Service picked up drummed or  
 21 liquid waste from National Laboratories?  
 22 A. I have no idea that they did.  
 23 Q. Would anyone else have picked that up, any  
 24 other hauling service?

1 A. I couldn't tell you.  
 2 Q. Did they have any relationship with a Barry  
 3 Cousins Solvent Refining Service?  
 4 A. He wasn't in business back then. Might not  
 5 even have been born.  
 6 Q. How long did you continue to pick up from  
 7 National Laboratories?  
 8 A. Until I quit. '69.  
 9 Q. You quit Community Sanitation Service?  
 10 A. Yes.  
 11 Q. So you picked up from the late Fifties  
 12 through 1969?  
 13 A. Yeah.  
 14 Q. You probably answered this already, how  
 15 much did you pick up?  
 16 A. Well, when National Laboratories started  
 17 out, when I first picked them up, they were  
 18 just about a three-employee company. The  
 19 place was spotless. Everything was -- then  
 20 Lehn & Fink bought them out and --  
 21 Q. Lehn & Fink?  
 22 A. Yes. And then they got bigger and bigger  
 23 and bigger and --  
 24 Q. Do you know what year Lehn & Fink



1 purchased them?  
 2 A. No. No, I don't know that. But I'd say  
 3 they had seven three-yarders, containers.  
 4 Q. About what year would this have been?  
 5 A. This was after I went to the front loader  
 6 then.  
 7 Q. So in '62 or '63, or would it have been  
 8 later?  
 9 A. '62 or '63, yeah.  
 10 Q. And it was already Lehn & Fink by then?  
 11 A. Yeah. Yes, ma'am.  
 12 Q. Did it say Lehn & Fink on the front door?  
 13 A. Um-hmm. It still said National  
 14 Laboratories, but it said Lehn & Fink.  
 15 Q. Is like National Laboratories a division of  
 16 Lehn & Fink, something like that?  
 17 A. Yeah. They bought the old man out, he  
 18 started the business.  
 19 Q. Did you ever pick up from New Mather  
 20 Metals?  
 21 A. That's the same thing as --  
 22 Q. Same thing as what?  
 23 A. Mather.  
 24 Q. Same thing as Mather Spring?

1 A. Yeah. It's just the new name for it now.  
 2 Q. Were there two separate plants?  
 3 A. There used to be two separate plants, yes.  
 4 Q. And what was -- was one called Mather  
 5 Spring and the other called New Mather  
 6 Metals?  
 7 A. No. They were both called the same.  
 8 Q. So it's the same company?  
 9 A. Same company.  
 10 Q. Well, you told me about the first plant of  
 11 Mather Spring. Where was the second plant  
 12 located?  
 13 A. Right down almost on the side of Jeep.  
 14 That sounds --  
 15 Q. Is that close to Stickney Avenue?  
 16 A. No, no, no. Jeep Boulevard or whatever it  
 17 is. Berdan Avenue. Jeep is built right --  
 18 to get into Mathers, you had to go -- it  
 19 was just a funny shape little building, and  
 20 you had a very narrow place to get in, to  
 21 drive around behind it, and you had to back  
 22 the truck up three or four times to get it  
 23 lined up to the container to dump it. It  
 24 was a very awkward place to get at. They

1 had an eight-yard container.  
 2 Q. Was this eight-yard container full of the  
 3 metal pieces?  
 4 A. No, no. This was just papers and --  
 5 because the office was there. Papers and  
 6 that type of stuff was all I --  
 7 Q. Was this the production facility or just an  
 8 office?  
 9 A. No, no, no, it was both.  
 10 Q. Do you know what they produced at this  
 11 second plant?  
 12 A. What they made? No, I have no idea.  
 13 Q. You don't know?  
 14 A. No.  
 15 Q. Did you see any floor sweepings from that  
 16 plant?  
 17 A. I was usually in and out of there before 4  
 18 o'clock in the morning when I picked it up.  
 19 Q. So it was dark when you picked it up?  
 20 A. Yeah. It was always -- I was always in and  
 21 out of there before anybody -- if somebody  
 22 else got up there with a steel truck or  
 23 something, got up in there to be unloaded,  
 24 you could be sitting there all day. You

1 could be even trapped, and you had to sit  
 2 there and wait to even get back out.  
 3 That's why I would hit it the first part of  
 4 my route and get the hell out of there. I  
 5 had a lot of stops where I got out before 5  
 6 in the morning.  
 7 Q. And so you're not sure what was in that  
 8 waste?  
 9 A. No, I really couldn't tell you. I know it  
 10 --  
 11 Q. Where did you take it?  
 12 A. -- was a lot of paper because I remember if  
 13 it was a windy day, it would blow.  
 14 Q. Where did you take this waste?  
 15 A. Dura and Stickney. Tyler -- no, not to  
 16 Tyler because this is a front loader.  
 17 Q. You only ran a front loader from the plant  
 18 located in the -- close to -- to Jeep's  
 19 plant? Did you just run a front loader in  
 20 the second Mather Metals plant?  
 21 A. Yeah. Yeah, that's all.  
 22 Q. And until what year did you pick up from  
 23 from Mather?  
 24 A. Probably '64 I suppose. Whenever they

1 bought the other, the next truck, and they  
 2 put that one on the other truck because  
 3 they didn't have the heavy stuff.  
 4 Q. Community Sanitation continued to pick up  
 5 even though you weren't?  
 6 A. Yeah.  
 7 Q. And who was driving that other truck?  
 8 A. Probably Frank Morris. I'm not sure.  
 9 Either him or Jim somebody. I forget his  
 10 name.  
 11 Q. Do you remember the last name?  
 12 A. Jim Smith. Jim Smith. He was out of  
 13 Michigan I think.  
 14 Q. He lived in Michigan?  
 15 A. I think so.  
 16 Q. Do you know where in Michigan?  
 17 A. No, ma'am.  
 18 Q. Are either of them still living to the best  
 19 of your knowledge?  
 20 A. Frank Morris is.  
 21 Q. Do you know where Mr. Morris is located?  
 22 A. You haven't talked to Mr. -- Frank?  
 23 Q. No, I haven't.  
 24 A. Well, you'll have an experience.

1 Q. Okay. Where is he located?  
 2 A. What is the name of the street? Now you're  
 3 going to make me look. Go ahead, ask me a  
 4 question. I'll look --  
 5 Q. I'll let you look on the map.  
 6 A. Where do I want to look? Do you know?  
 7 Q. No.  
 8 A. I want to look at --  
 9 Q. You tell me.  
 10 A. I want to look at Central Avenue, then go  
 11 right down through Ottawa Hills. Elmont.  
 12 Elmont Road.  
 13 Q. And Mr. Morris drove a front loader for  
 14 Community Sanitation Services?  
 15 A. Yes, ma'am.  
 16 Q. Do you know what years he drove a front  
 17 loader?  
 18 A. No. No, I don't.  
 19 Q. Was he there when you started driving a  
 20 front loader?  
 21 A. No. I had the only front loader.  
 22 Q. Was he driving a rear loader prior to that?  
 23 A. Either that or an open farm truck.  
 24 Q. So he worked for Community back into the

1 late -- from the late Fifties, or earlier?  
 2 A. I'm not exactly sure when he started, but  
 3 somewhere in there, yeah.  
 4 Q. And was he working at Community when you  
 5 left Community?  
 6 A. Yeah.  
 7 Q. So he was still working at Community  
 8 Sanitation Services in 1969?  
 9 A. Yeah.  
 10 Q. And he started driving a front loader  
 11 approximately what year?  
 12 A. Bob Smith started driving before he did,  
 13 and then they bought another and then  
 14 Frankie got it. So I suppose '65 or '66,  
 15 somewhere in there.  
 16 Q. Do you know -- you don't know where Jim  
 17 Smith is currently located?  
 18 A. No. Bob Smith.  
 19 Q. Bob Smith?  
 20 A. Did I say Jim?  
 21 Q. I think you did at first.  
 22 A. It's Bob Smith.  
 23 Q. Did you ever pick up from Ohio Bell  
 24 Telephone Company?

1 A. Yes.  
 2 Q. For which company?  
 3 A. For Community. Front loader.  
 4 Q. Approximately what year did you begin  
 5 picking up from them?  
 6 A. Probably '62, '63, somewhere in there.  
 7 Q. What did the trash of Ohio Bell consist of?  
 8 A. All kinds of little goodies.  
 9 Q. What do you mean by goodies, sir?  
 10 A. Well, pieces of wire, pieces of -- a little  
 11 bit of everything. Hell, I don't know what  
 12 it all would be. Nobody knows.  
 13 Q. Were there pieces of metal in there?  
 14 A. Yeah, there was pieces of metal.  
 15 Q. Very small pieces of metal?  
 16 A. Yeah.  
 17 Q. Like metal dust?  
 18 A. No, no.  
 19 Q. How small would the smallest piece be?  
 20 A. Oh, like one of them little stickers over  
 21 there (indicating).  
 22 Q. That would be a piece of metal about an  
 23 inch long?  
 24 A. Yeah, somewhere in there.

1 Q. Was it wire?  
 2 A. No, it would be a little flat piece of  
 3 metal. Like it was supposed to be hooked  
 4 to something, but it wasn't.  
 5 Q. You mean like it was a part of something?  
 6 A. Yeah, it was a part of something, but it  
 7 was broke and they just threw it away.  
 8 Q. Was there anything else in the trash?  
 9 A. Yeah, wood, paper.  
 10 Q. Any chemicals?  
 11 A. Not that I know of, no.  
 12 Q. They just would hook up telephones and  
 13 maintain the telephone lines, would they  
 14 not?  
 15 A. Yeah.  
 16 Q. They didn't have any kind of manufacturing  
 17 operation?  
 18 A. No. Not that I know of, no.  
 19 Q. Did you ever pick up anything from the Ohio  
 20 Department of Transportation?  
 21 A. No.  
 22 Q. Were you working for Community Sanitation  
 23 Services when I-475 was constructed?  
 24 A. Yeah.

1 Q. Did you have -- did you know where the  
 2 North Cove facility was?  
 3 A. The North Cove facility?  
 4 Q. Yes. It was a landfill.  
 5 A. No, I never heard of that.  
 6 Q. Did you have anything to do with taking  
 7 away part of the landfill when the Ohio  
 8 Department of Transportation was  
 9 constructing I-475?  
 10 A. No, ma'am.  
 11 Q. Did you ever pick up from an entity called  
 12 Oxford Paints?  
 13 A. No.  
 14 Q. Did you ever pick up from Owens-Illinois?  
 15 A. No. Wait, wait. Owens-Illinois?  
 16 Q. Yes.  
 17 A. Yeah, I picked up the Research and  
 18 Development Center.  
 19 Q. Where was that located?  
 20 A. Westwood.  
 21 Q. Do you know what the approximate street  
 22 location was?  
 23 A. Almost Dorr Street.  
 24 Q. Excuse me?

1 A. Dorr.  
 2 Q. Dorr Street, okay. What did you pick up  
 3 from the research facility?  
 4 A. Well, I know I picked up -- they had  
 5 one-yard containers. This was rear loader  
 6 stuff. And we had to go in and get the  
 7 containers. I think they had 17 of them  
 8 throughout the building, or buildings.  
 9 There was two buildings. And they made  
 10 glass bottles or tried new ways of  
 11 developing and researching on glass  
 12 bottles. And, you know, this was ground  
 13 glass cullet.  
 14 Q. What is cullet?  
 15 A. It's crushed up glass that they're going to  
 16 -- it had been glass and they're going to  
 17 use it over. So they run it through this  
 18 crusher. It looks just like salt.  
 19 Q. Like soap?  
 20 A. Salt.  
 21 Q. Oh, salt, okay.  
 22 A. It looks -- the one-yard container weighed  
 23 one ton, and we had to roll them outside.  
 24 We only had four of those, three times a

1 week to dump.  
 2 (A short recess was taken.)  
 3 Q. Mr. Dauterman, we were talking about  
 4 Owens-Illinois and their research center.  
 5 A. Yes.  
 6 Q. You said you picked up a one-yard container  
 7 from Owens-Illinois?  
 8 A. They had I think 17.  
 9 Q. Seventeen one-yard containers, that's  
 10 right.  
 11 A. That was in two different buildings.  
 12 Q. And how often would you pick up these 17  
 13 one-yard containers?  
 14 A. Twice a week.  
 15 Q. And were all of the containers full of the  
 16 very fine ground glass?  
 17 A. No. It was usually three or four.  
 18 Q. And the three or four containers that were  
 19 filled with the ground glass were very  
 20 heavy?  
 21 A. Very heavy.  
 22 Q. Was it all clear glass?  
 23 A. It looked just like salt. It was white.  
 24 Q. Could it have been -- was any of the glass

<p>121</p> <p>1 colored glass?</p> <p>2 A. No, it was no -- there was no colors in it.</p> <p>3 Q. All clear?</p> <p>4 A. Yeah.</p> <p>5 Q. Do you have any idea if lead was used in</p> <p>6 the making of any of this glass?</p> <p>7 A. Not that I know of, but it could have been.</p> <p>8 Q. You don't know?</p> <p>9 A. No, I have no idea.</p> <p>10 Q. What did you do with the waste from</p> <p>11 Owens-Illinois?</p> <p>12 A. It probably went to Dura or Tyler. That</p> <p>13 was on a rear loader.</p> <p>14 Q. So it could have gone to Tyler on a rear</p> <p>15 loader?</p> <p>16 A. Yeah, it could have went to Tyler.</p> <p>17 Q. Could it have gone to Stickney also?</p> <p>18 A. It could have went to Stickney.</p> <p>19 Q. Was it more likely to have gone to Stickney</p> <p>20 or to Tyler?</p> <p>21 A. More likely Stickney.</p> <p>22 Q. Were there any chemicals that were thrown</p> <p>23 away with this glass?</p> <p>24 A. Not that I remember of, no.</p>	<p>124</p> <p>1 they moved out of the City. But up until</p> <p>2 they -- either they moved out of the City</p> <p>3 or I quit, one or the other.</p> <p>4 Q. Let me go back a minute. Did you -- what</p> <p>5 years did you pick up from the Owens</p> <p>6 Research Center?</p> <p>7 A. Just the time that I was on the rear</p> <p>8 loader.</p> <p>9 Q. '58 to '62?</p> <p>10 A. Yeah.</p> <p>11 Q. Did someone else pick up Owens-Illinois</p> <p>12 with a rear loader after you started</p> <p>13 working on the front loader?</p> <p>14 A. I think so.</p> <p>15 Q. Do you know who that individual would be?</p> <p>16 A. I'm not really sure, but I think so. But I</p> <p>17 --</p> <p>18 Q. You think so what, that somebody did pick</p> <p>19 them up?</p> <p>20 A. Yeah, but I'm not sure. So I wouldn't have</p> <p>21 any idea who it would be.</p> <p>22 Q. Would you know who would know?</p> <p>23 A. No. You said you already talked to</p> <p>24 Morawski.</p>
<p>122</p> <p>1 Q. You don't remember any nearly empty</p> <p>2 containers of chemicals?</p> <p>3 A. No.</p> <p>4 Q. Do you know whether Community Sanitation</p> <p>5 Service was picking up drummed or liquid</p> <p>6 waste from Owens-Illinois at that time?</p> <p>7 A. Not that I know of, no.</p> <p>8 Q. Was this plant just known as Owens-Illinois</p> <p>9 or was it also called Libbey Glass?</p> <p>10 A. No, this was Owens-Illinois.</p> <p>11 Q. You seem real sure about that.</p> <p>12 A. Yes. That was the name. Owens-Illinois</p> <p>13 Research and Development Center.</p> <p>14 Q. Did you pick up any other facility from</p> <p>15 Owens-Illinois?</p> <p>16 A. No.</p> <p>17 Q. Did you ever see any trucks of</p> <p>18 Owens-Illinois at the Stickney, Tyler or</p> <p>19 Dura landfills?</p> <p>20 A. No, ma'am.</p> <p>21 Q. And you're not aware whether Community</p> <p>22 Sanitation might have picked up drummed or</p> <p>23 liquid waste from Owens?</p> <p>24 A. Not to my knowledge.</p>	<p>125</p> <p>1 Q. So he would probably know?</p> <p>2 A. He's the smartest man in the company.</p> <p>3 Q. What did you pick up from Pinkerton Tobacco</p> <p>4 Company?</p> <p>5 A. Tobacco. Ask me a silly question.</p> <p>6 Q. Well, sir, we have to go through this.</p> <p>7 A. I know, I know.</p> <p>8 Q. Silly questions is part of the job. Was</p> <p>9 there anything else other than tobacco in</p> <p>10 the Pinkertons --</p> <p>11 A. Lots of bugs. Lots of bugs. You would</p> <p>12 have loved them. Cockroaches that big</p> <p>13 (indicating). Oh, God.</p> <p>14 Q. Mexican cockroaches.</p> <p>15 A. Scary. They'd scare the hell out of you.</p> <p>16 They was so thick. I thought they was</p> <p>17 going to carry me away.</p> <p>18 Q. Anything that wasn't tobacco or roaches in</p> <p>19 the Pinkerton Tobacco waste?</p> <p>20 A. Not that I know of.</p> <p>21 Q. No chemicals to your knowledge?</p> <p>22 A. No.</p> <p>23 Q. Did you ever pick up drummed or liquid</p> <p>24 waste from Pinkerton Tobacco Company?</p>
<p>123</p> <p>1 Q. Did you ever pick up from Parkview</p> <p>2 Hospital?</p> <p>3 A. I don't believe so.</p> <p>4 Q. Did you ever pick up from Peerless Motor</p> <p>5 Plastics?</p> <p>6 A. Peerless? The name is familiar, but I</p> <p>7 can't place it.</p> <p>8 Q. I'm sorry?</p> <p>9 A. The name is familiar but I can't place it.</p> <p>10 Q. So you don't remember?</p> <p>11 A. I don't remember picking it up.</p> <p>12 Q. If you remember later on in the deposition</p> <p>13 anything about Peerless Motor Plastics,</p> <p>14 could we go back to that, please?</p> <p>15 A. Yes, ma'am.</p> <p>16 Q. Thanks. Did you ever pick up from</p> <p>17 Pinkerton Tobacco Company?</p> <p>18 A. Yes, ma'am.</p> <p>19 Q. Who did you pick up for?</p> <p>20 A. Community.</p> <p>21 Q. What years did you pick up from Pinkerton?</p> <p>22 A. It was on a front loader job, so from '62</p> <p>23 to anywhere up to '69. Well, I don't know</p> <p>24 what -- they moved out. I don't know when</p>	<p>126</p> <p>1 A. No, ma'am.</p> <p>2 Q. Do you know whether Community Sanitation</p> <p>3 Service picked up drums or liquid waste?</p> <p>4 A. Not that I know of.</p> <p>5 Q. Where did you take the waste of Pinkerton</p> <p>6 Tobacco Company?</p> <p>7 A. Dura.</p> <p>8 Q. Would that have also gone to Stickney?</p> <p>9 A. It could have went to Stickney, yeah.</p> <p>10 Q. And you said this was in a front loader?</p> <p>11 A. Yeah.</p> <p>12 Q. So you probably didn't take it to Tyler?</p> <p>13 A. I would not take that truck into Tyler, no.</p> <p>14 Q. Did you ever pick up from Play Bell Rubber</p> <p>15 Products?</p> <p>16 A. Play Bell? No.</p> <p>17 Q. Plaskon Electronic Materials? Plaskon?</p> <p>18 A. Never heard of them.</p> <p>19 Q. Reichert Stamping Company?</p> <p>20 A. Yes, ma'am.</p> <p>21 Q. Who did you pick up -- what company did you</p> <p>22 pick up for?</p> <p>23 A. Community.</p> <p>24 Q. What years did you pick up Reichert</p>

1 Stamping?  
 2 A. It was on the front loader.  
 3 Q. So did that start approximately 1962?  
 4 A. Yeah.  
 5 Q. Did you get these routes -- all of these  
 6 people you got pretty much all at the same  
 7 time when you were driving the front  
 8 loader?  
 9 A. What do you mean, I got all at the same  
 10 time?  
 11 Q. Well, you dated most of these accounts,  
 12 your knowledge of these accounts from the  
 13 time that you picked -- you started driving  
 14 the front loader.  
 15 A. Yeah.  
 16 Q. So was Community getting all of these  
 17 accounts in about 1962 or '63?  
 18 A. Yeah. That's why they were adding more  
 19 trucks and --  
 20 Q. That's why they bought the front loader in  
 21 the first place?  
 22 A. Yeah.  
 23 Q. Do you know whether Reichert Stamping  
 24 Company was picked up by Community

1 Sanitation Service prior to its purchase of  
 2 the front loader?  
 3 A. No, I do not know that.  
 4 Q. And who would know?  
 5 A. Probably Stanley. I don't know.  
 6 Q. What was in the Reichert Stamping Company  
 7 waste?  
 8 A. I can't even remember what they made. They  
 9 were -- at first they were downtown. Well,  
 10 not really downtown. They were off of  
 11 Bancroft Street.  
 12 Q. Bancroft and?  
 13 A. I have no idea. They were in off of --  
 14 yeah. If they came in off of Monroe Street  
 15 -- I don't know the name of the damn street  
 16 there. Anyhow --  
 17 Q. When they were on Bancroft Street, do you  
 18 remember what you picked up from them?  
 19 A. No, just a lot of garbage. I can't really  
 20 tell you what it was.  
 21 Q. Did you pick this up with the front loader?  
 22 A. Yeah.  
 23 Q. Do you remember what kind of container that  
 24 they had?

1 A. They were all three-yarders.  
 2 Q. How many three-yarders did they have?  
 3 A. I would say five.  
 4 Q. How often did you pick up from Reichert  
 5 Stamping?  
 6 A. Twice a week.  
 7 Q. Did anyone else from Community Sanitation  
 8 Service pick up from Reichert Stamping to  
 9 your knowledge?  
 10 A. Probably after I did.  
 11 Q. But while you were picking up? Were you  
 12 the only one from Community that serviced  
 13 that account?  
 14 A. Yeah.  
 15 Q. And so you picked up from approximately  
 16 1962 until what year at Reichert Stamping?  
 17 A. Reichert moved clear out to Centennial Road  
 18 and Central Avenue.  
 19 Q. What was their waste like when they moved  
 20 out?  
 21 A. I didn't go out there to pick them up.  
 22 Q. You never picked them up from there?  
 23 A. No. Somebody else picked them up.  
 24 Q. About what year did they make that move?

1 A. Probably '67, '65. '67, somewhere.  
 2 Q. Who picked them up after they made their  
 3 move?  
 4 A. I have no idea.  
 5 Q. Did Community Sanitation Services still  
 6 service that account?  
 7 A. I don't know.  
 8 Q. You don't know, okay. And Mr. Morawski is  
 9 the one that would know?  
 10 A. Yes.  
 11 Q. But you don't remember anything about their  
 12 waste?  
 13 A. No, I don't remember.  
 14 Q. Where was their waste taken?  
 15 A. Probably Dura.  
 16 Q. Is it possible that it was also taken to  
 17 Stickney?  
 18 A. It's possible.  
 19 Q. Again, anytime that Dura was on fire you  
 20 would go to Stickney with your waste, is  
 21 that correct?  
 22 A. Right.  
 23 Q. Did you ever pick up any drummed or liquid  
 24 waste?

1 A. No, ma'am.  
 2 Q. Is Reichert Manufacturing the same as  
 3 Reichert Stamping, or is that another  
 4 entity? Do you know of a Reichert  
 5 Manufacturing?  
 6 A. I just thought it was all the same thing.  
 7 I don't know, it could be two different  
 8 places.  
 9 Q. You don't know of a separate place?  
 10 A. No.  
 11 Q. Did you ever pick up from Riverside  
 12 Hospital?  
 13 A. No, ma'am.  
 14 Q. Did you ever pick up from the Royster  
 15 Company?  
 16 A. Nope.  
 17 Q. Did you ever pick up from Rudolph-Libbe,  
 18 Incorporated?  
 19 A. For Mr. Benton I pulled a couple roll-off  
 20 boxes out of there. That's all.  
 21 Q. What years did you do this?  
 22 A. Somewhere in the Seventies.  
 23 Q. What kind of waste did Rudolph-Libbe have?  
 24 Construction waste.

1 Q. Did you ever see any chemicals in their  
 2 waste?  
 3 A. No.  
 4 Q. Did you ever pick up any drummed or liquid  
 5 waste from Rudolph-Libbe?  
 6 A. No, ma'am.  
 7 Q. Did you ever take Rudolph-Libbe's waste to  
 8 the Stickney, Tyler or Dura landfills?  
 9 A. No, ma'am.  
 10 Q. Did you ever pick up from St. Charles  
 11 Hospital?  
 12 A. No.  
 13 Q. St. Luke's Hospital?  
 14 A. Um-hmm.  
 15 Q. Who did you pick up St. Luke's -- for what  
 16 company did you pick up St. Luke's?  
 17 A. Community. Front loader.  
 18 Q. Beginning in what year?  
 19 A. Possibly '62.  
 20 Q. What did St. Luke's waste consist of?  
 21 A. Well, there again you have a great big  
 22 compacted unit and you don't see much.  
 23 Q. Was there a sickening smell to the St.  
 24 Luke's waste like there was at one of the

1 other hospitals?  
 2 A. Yes, ma'am.  
 3 Q. Do you have any idea what caused that  
 4 smell?  
 5 A. No. No, because there they had an  
 6 incinerator then.  
 7 Q. They did have an incinerator?  
 8 A. Yeah, because this was a brand new hospital  
 9 and they had an incinerator.  
 10 Q. So would the waste that you would dump  
 11 primarily be ashes?  
 12 A. No. No, it primarily would be -- oh, gosh.  
 13 Depends, things like that. Diapers for old  
 14 people and people in surgery and all that  
 15 good stuff.  
 16 Q. Did they use those type of diapers in 1962?  
 17 A. Pardon?  
 18 Q. Did they use those type of diapers in 1962,  
 19 the Depends type of diapers?  
 20 A. Approximately the same thing.  
 21 Q. It wasn't cloth then?  
 22 A. No, I don't believe so.  
 23 Q. Oh, okay. I'm just surprised.  
 24 Q. They were paper, disposable.

1 Q. They were paper, disposable paper?  
 2 A. Yeah.  
 3 Q. Did you ever notice any chemicals in the  
 4 St. Luke's waste?  
 5 A. No, ma'am.  
 6 Q. Did you ever notice any containers for  
 7 cleaning fluid in their waste?  
 8 A. No.  
 9 Q. Did you ever -- oh, excuse me, where did  
 10 the St. Luke's waste go to?  
 11 A. Dura Avenue or Stickney.  
 12 Q. But not to Tyler?  
 13 A. No.  
 14 Q. Did you ever pick up anything from St.  
 15 Vincent's Medical Center?  
 16 A. No.  
 17 Q. Did you ever pick up from Sears Roebuck and  
 18 Company?  
 19 A. Yeah, I picked up with a front loader for  
 20 Community.  
 21 Q. What was in the Sears waste?  
 22 A. Same old thing.  
 23 Q. What same old thing would that be?  
 24 A. Paper, wood, dirt off the driveway.

1 Q. Did you ever pick up any used oil from  
 2 their automobile facilities?  
 3 A. No, ma'am.  
 4 Q. Did you ever pick up anything from their  
 5 automotive facilities to the best of your  
 6 knowledge?  
 7 A. Well, they had a container sitting outside  
 8 the building that I dumped.  
 9 Q. And this would be a container that would be  
 10 used by --  
 11 A. The garage.  
 12 Q. The garage?  
 13 A. Or the maintenance, groundskeepers,  
 14 whatever.  
 15 Q. Didn't they have like a Sears Automotive  
 16 Center where they would work on cars for  
 17 people?  
 18 A. Yes, ma'am.  
 19 Q. So did you pick up the waste from that  
 20 Automotive Center?  
 21 A. Whatever was in the container, yeah.  
 22 Q. Oh, well, what would be in the -- would  
 23 there be empty oil cans?  
 24 A. Yeah, I suppose there were.

1 Q. But you never saw -- you never noticed any  
 2 used oil?  
 3 A. No.  
 4 Q. Like if they would change the oil in a car?  
 5 A. No, I never saw that.  
 6 Q. Where did you take the Sears Roebuck waste?  
 7 A. To Dura or Stickney.  
 8 Q. Also Stickney? Would it be helpful to take  
 9 a five-minute break?  
 10 A. No, I should have went back out early. It  
 11 only takes 15 minutes over there, that's  
 12 all it takes.  
 13 (A short recess was taken.)  
 14 Q. Mr. Dauterman, did you ever pick up from  
 15 Sharon Manufacturing?  
 16 A. I don't believe so. No.  
 17 Q. Sherwin Williams Company or it was also  
 18 known as Maumee Chemical Company?  
 19 A. No.  
 20 Q. Sinclair Manufacturing?  
 21 A. Yes, ma'am.  
 22 Q. For what company did you pick up from  
 23 Sinclair?  
 24 A. Community, both rear loader and front

1 loader.  
 2 Q. That would have been starting in the late  
 3 Fifties?  
 4 A. Right.  
 5 Q. And when did you start picking them up with  
 6 a front loader?  
 7 A. Approximately '62.  
 8 Q. What kind of waste did Sinclair  
 9 Manufacturing have?  
 10 A. Mostly plastic bottles.  
 11 Q. Did the plastic bottles have anything in  
 12 them?  
 13 A. Some of them had a little chlorine bleach.  
 14 Q. Anything else?  
 15 A. Not that I know of.  
 16 Q. Where did you take the waste from Sinclair?  
 17 A. To Dura or Stickney landfill when it was  
 18 front loader.  
 19 Q. Did you ever take --  
 20 A. It might have went to Tyler if it was that  
 21 rear loader.  
 22 Q. How big was the container at Sinclair?  
 23 A. They had six three-yard containers.  
 24 Q. And how often did you pick them up?

1 A. Three times a week.  
 2 Q. And to the best of your knowledge were you  
 3 the only driver for Community servicing  
 4 the Sharon Manufacturing -- excuse me,  
 5 Sinclair Manufacturing account?  
 6 A. As far as I know, yes.  
 7 Q. Do you remember seeing anything else in  
 8 their waste?  
 9 A. No.  
 10 Q. Did you ever pick up from Smith Provision?  
 11 A. No.  
 12 Q. Let me go back to Sinclair for a minute.  
 13 Did you ever pick up drummed or liquid  
 14 waste from Sinclair?  
 15 A. No, ma'am.  
 16 Q. Do you have any -- do you know whether  
 17 Community Sanitation Services picked up  
 18 drummed or liquid waste?  
 19 A. No, I do not.  
 20 Q. Did you ever pick up from Smith Provision?  
 21 A. No.  
 22 Q. Did you ever pick up from Sun Refining and  
 23 Marketing, or Sun Oil?  
 24 A. For Mr. Benton.

1 Q. What year was that?  
 2 A. Well, it was after they opened the  
 3 landfill.  
 4 Q. Are you referring to the Evergreen  
 5 landfill?  
 6 A. Yes, ma'am.  
 7 Q. Did you ever take any waste from Sun Oil to  
 8 anyplace other than the Evergreen landfill?  
 9 A. No. I only picked up this one container.  
 10 I took the container with me. I filled it  
 11 and I took it and I dumped it, and that was  
 12 it.  
 13 Q. You filled it?  
 14 A. Yeah.  
 15 Q. It wasn't already filled?  
 16 A. No.  
 17 Q. So I'm sorry, you went to various locations  
 18 in the plant to --  
 19 A. No, I went to one location and it was a  
 20 black dust. I mean, it was -- it made you  
 21 shudder. And I had to fill the --  
 22 Q. Why did it make you shudder?  
 23 A. Well, it was just an eerie feeling to try  
 24 to gather all this black dust in this box

1 and keep it in there without -- it kept  
 2 coming out and you couldn't seal everything  
 3 off tight.  
 4 Q. Was it a chemical dust?  
 5 A. I don't know what kind of dust it was. It  
 6 was from their -- some part of their  
 7 operation there.  
 8 Q. Was it irritating to your eyes or nose?  
 9 A. Oh, yes, if you got it -- yeah.  
 10 Q. If you got it on your skin would it burn  
 11 you?  
 12 A. No, I never had that. No.  
 13 Q. So you don't know whether it would or not?  
 14 A. No, but I -- it never did me any.  
 15 Q. Did you ever get it on your skin?  
 16 A. Oh, yeah.  
 17 Q. And what years did you pick up this  
 18 chemical dust?  
 19 A. Like I say, it was after they opened the  
 20 Evergreen landfill, because that's where it  
 21 went.  
 22 Q. Did you ever -- you never took any of this  
 23 dust to Stickney, Tyler or Dura?  
 24 A. No, no. No.

1 Q. Did you ever haul for Surface Combustion,  
 2 Inc.?  
 3 A. Surface Combustion what?  
 4 Q. Incorporated.  
 5 A. Yeah.  
 6 Q. For what company?  
 7 A. For Community.  
 8 Q. What was the nature of the waste for  
 9 Surface Combustion?  
 10 A. I can't remember that.  
 11 Q. Where was the plant located?  
 12 A. Dorr Street.  
 13 Q. Is that in Toledo?  
 14 A. Um-hmm.  
 15 Q. What was the -- what kind of container did  
 16 they have?  
 17 A. They had four six-yard containers I  
 18 believe.  
 19 Q. How often did you pick up the containers?  
 20 A. Twice a week.  
 21 Q. And as far as you know, you were the only  
 22 one servicing the account on behalf of  
 23 Community?  
 24 A. At that time. And when they bought the

1 other truck and put a different route on,  
 2 he got it.  
 3 Q. Who was he?  
 4 A. Whoever it was. I don't know.  
 5 Q. You don't remember who was on the truck?  
 6 A. I don't know whether it was that Smith or  
 7 whether it was Frank Morris.  
 8 Q. Would it have either been Frank Morris or  
 9 Mr. --  
 10 A. Smith.  
 11 Q. Did you say Rob Smith?  
 12 A. Yeah, Robert Smith.  
 13 Q. Where did you take the Surface Combustion  
 14 Waste?  
 15 A. To Dura or Tyler. Not Tyler. God, I get  
 16 so confused. Stickney.  
 17 Q. Did you ever pick up from Tecumseh  
 18 Products?  
 19 A. That is the same thing as Acklin Stamping.  
 20 It's just the new name for it now.  
 21 Q. So we've already talked about them?  
 22 A. Yeah.  
 23 Q. Did you ever pick up from Teledyne -- I  
 24 think we talked about them too.

1 A. We talked about that.  
 2 Q. Was there a separate company called  
 3 Teledyne CAE? Do you ever remember picking  
 4 up for the company called Teledyne CAE?  
 5 A. Not that I know of, no.  
 6 Q. I have an address on Laskey Road. Is that  
 7 familiar to you?  
 8 A. That's where Teledyne would be.  
 9 Q. Was that the same as the -- what is it,  
 10 Continental Aviation?  
 11 A. Yeah.  
 12 Q. Is that the same location?  
 13 A. Yeah.  
 14 Q. Where you picked up from Continental  
 15 Aviation?  
 16 A. Right.  
 17 Q. You've been pretty good for awhile, but I  
 18 need to caution you again. Please wait  
 19 until I finish the question.  
 20 A. I'm just trying to rush.  
 21 Q. I know. Do you have anything to add about  
 22 your discussion on the waste at  
 23 Textileather?  
 24 A. No, ma'am.

1 Q. So the main thing you picked up from  
 2 Textileather was the waste fake leather?  
 3 A. Right.  
 4 Q. Did you ever pick up from Tilston  
 5 Carburetor?  
 6 A. No.  
 7 Q. The Toledo Blade?  
 8 A. Nope.  
 9 Q. Do you know who may have picked up for the  
 10 Toledo Blade?  
 11 A. No.  
 12 Q. Did you ever see anyone from the Toledo  
 13 Blade dumping waste ink at the Stickney,  
 14 Tyler or Dura landfills?  
 15 A. No.  
 16 Q. Did Community ever do any hauling for the  
 17 City of Toledo?  
 18 A. Not that I know of.  
 19 Q. The City government.  
 20 A. Not that I know of.  
 21 Q. They use their own sanitation trucks?  
 22 A. Yeah.  
 23 Q. Did you ever dump for Toledo Edison?  
 24 A. Yeah.

<p>145</p> <p>1 Q. This is on behalf of Community Sanitation?</p> <p>2 A. Yes, ma'am.</p> <p>3 Q. What did you pick up from Toledo Edison?</p> <p>4 A. This was in the front loader. It was all kinds of gadgets in there.</p> <p>5 Q. Try to describe the gadgets to the best of your ability.</p> <p>6 A. I don't know what the hell they are. They are a brownish color and they're made out of like plastic and they're about 18 inches tall. I don't know what those things are.</p> <p>7 Q. What were they made of?</p> <p>8 A. Like glass and metal.</p> <p>9 Q. Glass or metal?</p> <p>10 A. Yeah.</p> <p>11 Q. Were there any very fine pieces of glass or metal?</p> <p>12 A. No. I don't know, just one great big old -- one great big piece that I see.</p> <p>13 Q. Did you ever see any -- pick up any transformers from Toledo Edison?</p> <p>14 A. Transformer? No, I never picked up a transformer, no.</p> <p>15 Q. Did you ever see a Toledo Edison truck at</p>	<p>148</p> <p>1 Q. Oh, you called it -- I just have Cleveland Metal. You called it Cleveland Metal Abrasives.</p> <p>2 A. Yeah. No, no, I never picked up --</p> <p>3 Q. You never picked up from U.S. Reduction?</p> <p>4 A. No.</p> <p>5 Q. Did you ever pick up from United Technologies Automotive?</p> <p>6 A. Not that I know of. I don't ever remember ever hearing of it.</p> <p>7 Q. What about the University of Toledo?</p> <p>8 A. Yeah, I went in there.</p> <p>9 Q. What did you pick up from the University of Toledo?</p> <p>10 A. They had them all over the place.</p> <p>11 Q. Had what all over the place?</p> <p>12 A. Containers.</p> <p>13 Q. How big were the containers?</p> <p>14 A. At the dormitories and sorority houses, they'd be three-yard containers or two-yard and a half containers, whichever would fit best. Some of the bigger buildings would have bigger containers. But generally that's all it was, was just garbage that</p>
<p>146</p> <p>1 the Stickney, Tyler or Dura landfills?</p> <p>2 A. I don't remember ever seeing one, no.</p> <p>3 Q. So you have -- you don't know who may have picked up their old transformers?</p> <p>4 A. No, I have no idea.</p> <p>5 Q. Have you ever picked up from the Toledo Hospital?</p> <p>6 A. Yeah. I was there for a few times, picking up for somebody. I don't remember who it was. Yeah, I was there.</p> <p>7 Q. So you were just substituting for someone?</p> <p>8 A. Yeah.</p> <p>9 Q. You did not pick up Toledo Hospital on a regular basis?</p> <p>10 A. No.</p> <p>11 Q. Do you know who you were substituting for?</p> <p>12 A. No, I don't know who that would be.</p> <p>13 Q. And did you pick up the Toledo Hospital on behalf of Community Sanitation Services?</p> <p>14 A. Yes, ma'am.</p> <p>15 Q. Do you remember anything about the waste of Toledo Hospital?</p> <p>16 A. Well, I remember this was not in a compactor like the other ones. This was</p>	<p>149</p> <p>1 was thrown out.</p> <p>2 Q. Does the University of Toledo have any research facilities to your knowledge?</p> <p>3 A. I'm sure they do.</p> <p>4 Q. Do you ever remember picking up any chemicals from any of these research facilities?</p> <p>5 A. No.</p> <p>6 Q. Did the university have an incinerator?</p> <p>7 A. I couldn't tell you that.</p> <p>8 Q. Did the -- is there a medical school associated with the University of Toledo?</p> <p>9 A. No.</p> <p>10 Q. Were you ever aware of any possibly low-level radioactive waste from the University of Toledo?</p> <p>11 A. No.</p> <p>12 Q. Where did you take the waste from the University of Toledo?</p> <p>13 A. Dura or I want to say Stickney.</p> <p>14 Q. And approximately how much waste did you pick up from them?</p> <p>15 A. How much waste?</p> <p>16 Q. Yes.</p>
<p>147</p> <p>1 all open three-yard containers.</p> <p>2 Q. Was there a smell to this waste like --</p> <p>3 A. Oh, yeah, just like the others though.</p> <p>4 Q. Was the hospital waste, did it all smell the same way?</p> <p>5 A. Like wet beds and that type of thing.</p> <p>6 Q. How many occasions did you pick up Toledo Hospital, if you remember?</p> <p>7 A. Probably three, but I'm not sure. I don't think it was over three.</p> <p>8 Q. And where did you take their waste?</p> <p>9 A. To probably Dura or Stickney.</p> <p>10 Q. Did you ever pick up from Toledo Industrial Disposal?</p> <p>11 A. No.</p> <p>12 Q. Did you ever pick up from U.S. Reduction Company?</p> <p>13 A. You already asked me that one, didn't you?</p> <p>14 Q. No, I don't think so.</p> <p>15 Q. Oh, U.S. Reduction. No. No, I never --</p> <p>16 Q. no, I was thinking of Cleveland Metal Abrasives. No, okay.</p> <p>17 Q. I don't think that was --</p> <p>18 A. Okay, no problem.</p>	<p>150</p> <p>1 A. Probably 24, 28 yards, somewhere around that area.</p> <p>2 Q. Twenty-four to 28 cubic yards?</p> <p>3 A. Yes.</p> <p>4 Q. How often did you pick up this amount of waste from the University of Toledo?</p> <p>5 A. Twice a week.</p> <p>6 Q. And you were the only person from Community Sanitation Service that serviced the account?</p> <p>7 A. At that time, yeah.</p> <p>8 Q. Did you ever pick up from Valet Paint Service?</p> <p>9 A. No.</p> <p>10 Q. Did you ever see any trucks from Valet Paint Service at the Stickney, Tyler or Dura landfills?</p> <p>11 A. No, ma'am.</p> <p>12 Q. Did you ever pick up from Walbro Corporation?</p> <p>13 A. No.</p> <p>14 Q. Walbro Automotive?</p> <p>15 A. Nope.</p> <p>16 Q. Did you ever pick up from Yenkin</p>

1 Majestic Paint Company?  
 2 A. No.  
 3 Q. Did you ever take any waste for Benton  
 4 Sanitation to the Stickney, Tyler or Dura  
 5 landfills?  
 6 A. For Benton?  
 7 Q. Yes, for Robert Benton.  
 8 A. No. No, I took it all to the Hoffman Road  
 9 landfill. Any waste I ever took for him  
 10 went to Hoffman Road.  
 11 Q. And also to the Evergreen landfill?  
 12 A. Yeah.  
 13 Q. But never to Stickney, Tyler or Dura?  
 14 A. No.  
 15 Q. Did you ever see any of Mr. Benton's trucks  
 16 at the Stickney, Tyler or Dura landfills?  
 17 A. When I was --  
 18 Q. Working for Community Sanitation Service?  
 19 A. Yeah.  
 20 Q. Did you have the opportunity to observe the  
 21 kind of waste that Mr. Benton's trucks were  
 22 disposing at the Stickney, Tyler or Dura  
 23 landfills?  
 24 A. Well, the only -- let's see, the trucks I

1 saw were rear load trucks.  
 2 Q. Approximately how big were the trucks?  
 3 A. Probably 16 to 18-yard jobs.  
 4 Q. Do you have any idea how many trucks he was  
 5 running at that time?  
 6 A. At that time he was only running probably  
 7 three.  
 8 Q. What color were the trucks?  
 9 A. They could have been any color.  
 10 Q. You're not sure what they were?  
 11 A. Well, he -- just whatever paint he found,  
 12 that's what he painted them.  
 13 Q. So there was no particular color that was  
 14 of that sanitation color?  
 15 A. No, not at that time. No. After he got  
 16 more trucks, then he went to one color.  
 17 And I can't even remember what that was,  
 18 but at that first part, no.  
 19 Q. Did you ever see Benton Sanitation  
 20 disposing of any drummed or liquid waste at  
 21 the Stickney, Tyler or Dura landfills?  
 22 A. No.  
 23 Q. Did you ever see any disposal of any  
 24 sludges or metal slag?

1 A. No.  
 2 Q. Did you ever see any metal dust that was  
 3 disposed of by Benton Sanitation Services  
 4 at the Stickney, Tyler or Dura landfills?  
 5 A. No. I just saw the dust from Community  
 6 that Max Klukas used to dump from U.S.  
 7 Reduction.  
 8 Q. What was that like?  
 9 A. It was just -- it blotted out the sun.  
 10 When he'd dump it, it'd just -- he'd dump,  
 11 oh, he had like a semi dump deal, a big  
 12 dump truck. I don't know how many yards it  
 13 would hold, and he would -- it was an  
 14 enclosed job, and when he'd open the back  
 15 gate and the stuff would hit the ground, it  
 16 would just blot out the sun.  
 17 Q. This was chemical dust?  
 18 A. It was a metal dust.  
 19 Q. Metal dust?  
 20 A. Yeah. Well, there probably was chemicals  
 21 in it.  
 22 Q. And when this material would blot out the  
 23 sun, was it irritating --  
 24 A. Oh, yeah.

1 Q. -- to breathe around?  
 2 A. Yeah. It was -- it burnt your eyes, yeah.  
 3 It was very irritating. Even after he  
 4 dumped it and drove away and it settled.  
 5 Q. What other kind of physical effects might  
 6 you have being around this material?  
 7 A. Oh, I never got any after I got the first  
 8 whiff of it. I stayed -- if I knew where  
 9 he was, I stayed way away. They usually  
 10 tried to dump him somewhere -- they left  
 11 him a hollow where he could dump down into  
 12 it, and then they could cover it up real  
 13 quick.  
 14 Q. Were the workers careful to stay away from  
 15 this material?  
 16 A. Oh, yes.  
 17 Q. Did Max Klukas wear any protective gear?  
 18 A. No.  
 19 Q. What did he do to protect himself from this  
 20 material?  
 21 A. I have no idea.  
 22 Q. You didn't see him protecting himself?  
 23 A. No.  
 24 Q. You mean he just got used to it after

1 awhile?  
 2 A. I don't know.  
 3 Q. You don't know, okay.  
 4 A. I don't know, dear.  
 5 Q. Did you ever see anyone from Oberly  
 6 Sanitation --  
 7 A. Oberly?  
 8 Q. -- at the Stickney, Tyler or Dura  
 9 landfills?  
 10 A. Oberly? I don't think I ever heard of an  
 11 Oberly.  
 12 Q. Robert Oberly?  
 13 A. Never heard of a Robert Oberly.  
 14 Q. Did you ever see anyone from Cousins  
 15 Sanitation?  
 16 A. I saw people from --  
 17 Q. At the Stickney --  
 18 A. I don't think I ever saw them at the dump.  
 19 Q. Which dump is this?  
 20 A. Any dump.  
 21 Q. You never saw them at any dump?  
 22 A. I don't remember ever seeing them at any  
 23 dump.  
 24 Q. Where did you see them?

1 A. Well, either on the road or in some plant.  
 2 Q. Did you ever see them picking up liquid  
 3 waste from a plant?  
 4 A. I never saw them doing it. I saw them  
 5 going in probably to do that, but I never  
 6 saw them do it.  
 7 Q. What was the nature of the Cousins  
 8 Sanitation business?  
 9 A. Liquid waste I suppose. I don't know.  
 10 Q. Did they run trailer tankers?  
 11 A. No. They just had a -- as far as I know,  
 12 they only had a, oh, special tank, a small  
 13 -- well, not a small truck, a good-sized  
 14 truck. A tank like you'd deliver fuel oil  
 15 in or something like that, but it was a  
 16 little more complicated than that. It had  
 17 special valves on it. It looked like it  
 18 was reinforced.  
 19 Q. So you never -- but you never saw this  
 20 truck at any of the dumps?  
 21 A. I never saw it operate, no.  
 22 Q. Do you know who would know where they might  
 23 have dumped their waste?  
 24 A. Do you know anybody by the name of Harry



1 Heldt? Do you have that name on your  
2 list?  
3 Q. I've heard of him, yes.  
4 A. He worked for him for awhile.  
5 Q. Do you know what companies Cousins  
6 Sanitation picked up from?  
7 A. No.  
8 Q. Did you ever see anyone from Fondessy  
9 Enterprises at the Stickney, Tyler or Dura  
10 dumps?  
11 A. Yes. Not too often. They had their own  
12 great big dump. But once in awhile they  
13 would be in.  
14 Q. And which landfill did you see them at?  
15 A. The Dura dump.  
16 Q. Did you see them at Stickney also?  
17 A. I don't remember ever seeing them there.  
18 They might have been, but I don't remember.  
19 Q. What color -- how did you know it was  
20 Fondessy trucks?  
21 A. They got their name wrote all over,  
22 everywhere.  
23 Q. What color were the trucks?  
24 A. Gray and some other color. I don't know.

1 Q. Was the cab gray?  
2 A. Most of it is gray. The box is gray for  
3 sure, but they have great big letters on --  
4 Q. What color is the cab?  
5 A. I really can't tell you, Dear.  
6 Q. What kind of trucks were they?  
7 A. What kind of trucks?  
8 Q. Yes.  
9 A. They were --  
10 Q. Were they front loader or rear loader  
11 trucks?  
12 A. Oh, no, they were roll-off trucks.  
13 Q. They were roll-off trucks?  
14 A. Yeah, they were roll-off trucks.  
15 Q. You were trying to figure out what model  
16 they were?  
17 A. I was -- they were Grain Carriers is  
18 what they were driving at the time, Grain  
19 Carriers. That's a model of a truck, make  
20 of a truck.  
21 Q. Are you familiar with Jeffers Crane?  
22 A. Yeah.  
23 Q. Did you ever see Jeffers Crane or anyone  
24 from Paul Jeffers, Inc. at the Stickney,

1 Tyler or Dura landfills?  
2 A. No.  
3 Q. What do you know about Jeffers Crane?  
4 A. Nothing.  
5 Q. Are you familiar with a company called  
6 Consolidated Disposal?  
7 A. No.  
8 Q. Waste Disposal Services?  
9 A. Um-hmm.  
10 Q. Did you ever see anyone from Waste Disposal  
11 Services at the Stickney, Tyler or Dura  
12 landfills?  
13 A. No.  
14 Q. Did you ever see anyone from Michigan-Ohio  
15 Overland Freight at the Stickney, Tyler or  
16 Dura landfills?  
17 A. No, ma'am.  
18 Q. Did you ever see anyone from Freeman  
19 Disposal at the Stickney, Tyler or Dura  
20 landfill?  
21 A. Yes, ma'am.  
22 Q. How did you know it was from Freeman?  
23 A. Well, I knew him real well.  
24 Q. Knew who?

1 A. All the Freemans.  
2 Q. Can you give their first names?  
3 A. What do you want, Kenny, Bob.  
4 Q. Did you say Calvin first? Calvin and  
5 Kenny, or just Kenny?  
6 A. Kenny.  
7 Q. Kenny, Bob.  
8 A. That's the two brothers that owned it.  
9 Well, the old man owned it before that. I  
10 can't tell you his name.  
11 Q. Did you see the old man at the Stickney,  
12 Tyler or Dura landfills?  
13 A. The old man? No, I never seen him in  
14 there. He had his own dump out here, way  
15 out there in Holland.  
16 Q. Let the record reflect the fact that the  
17 witness is indicating on the map  
18 denominated Exhibit 1. Would that be the  
19 location, sir, the --  
20 A. Yeah.  
21 Q. -- tag noted No. 14?  
22 A. Fourteen.  
23 Q. Did the Freemans have any other people  
24 working for them, or was it just them?

1 A. Well, they had a gentleman by the name of  
2 Louie Yarger, Yarger, something like  
3 that.  
4 Q. Do you know how that last name would be  
5 spelled?  
6 A. No.  
7 Q. Do you know if that individual is still  
8 alive?  
9 A. He was the last I knew. He was out in  
10 Arizona.  
11 Q. Do you know where in Arizona?  
12 A. He started a company. He bought out a  
13 company somewhere in Arizona.  
14 Q. What did the Freemans' trucks look like?  
15 A. They were a different than anybody else's.  
16 They were Daybrooks.  
17 Q. How was the shape different?  
18 A. It was just made different. It operated  
19 all the way different.  
20 Q. If you could be a little more specific,  
21 that would be helpful.  
22 A. You wouldn't know what I was talking about  
23 if I'd tell you.  
24 Q. Well, somebody else might. Go ahead and

1 try.  
2 A. All right. A regular rear loader has a big  
3 metal blade that comes back down, grabs the  
4 garbage and shoves it up and packs it up.  
5 A Daybrook job has a rubber belt and you  
6 put the garbage on there and the rubber  
7 belt just shoves it up in there. There's  
8 no packing to it.  
9 Q. So those trucks did not do any compaction?  
10 A. Not really, no. They were sold to do  
11 compaction, but they didn't actually do  
12 any.  
13 Q. What color were the trucks that the  
14 Freemans drove?  
15 A. White.  
16 Q. And do you remember what color the  
17 lettering was?  
18 A. I believe black, but I'm not sure.  
19 Q. Did you ever see the Freemans dispose of  
20 any liquid or drums waste at the Stickney,  
21 Tyler or Dura landfills?  
22 A. No, I don't believe I ever did.  
23 Q. Did you ever see anyone from Barton's  
24 Disposal in the Stickney, Tyler or Dura

1 landfills?  
 2 A. Um-hmm.  
 3 Q. Which landfills?  
 4 A. Probably all three.  
 5 Q. How did you know the trucks were from  
 6 Barton's?  
 7 A. They're painted a light green. Chartreuse  
 8 almost.  
 9 Q. What kind of trucks were they?  
 10 A. Two of them were open trucks. One was a  
 11 front loader. I don't think he ever --  
 12 Q. Maybe like stake bed trucks?  
 13 A. Yeah. I don't think he ever had a rear  
 14 loader.  
 15 Q. Do you know any of the names of the drivers  
 16 that drove for Barton's Disposal?  
 17 A. Harry Heldt drove for them for awhile.  
 18 That's what used to make me so mad, you  
 19 know?  
 20 Q. Why is that?  
 21 A. He could go to work out there throwing  
 22 garbage in the whitest clothes you'd want  
 23 to give him, and you'll never see a speck  
 24 of dirt on him. And I'd get out there and

1 I'd be just like a --  
 2 Q. You'd be covered with Dupont pigment?  
 3 A. Yes, I would really be covered with it. It  
 4 was just like I was a magnet. Boy, I used  
 5 to get madder than hell. It wasn't his  
 6 fault, you know, but I did.  
 7 Q. That's quite a skill.  
 8 A. Yes.  
 9 Q. Anyone else ever -- do you know of anyone  
 10 else that drove for the Bartons?  
 11 A. Yes, yes, yes. I know his name and I can't  
 12 think of it right off. Well, you'll have  
 13 to wait on that one. I can't come up with  
 14 a name. I've got his face, but I can't  
 15 figure out his name.  
 16 Q. Doesn't Mr. Heldt work for or own one of the  
 17 disposal services currently in business in  
 18 Toledo?  
 19 A. He works for BFI.  
 20 Q. He works for BFI, okay.  
 21 A. He's about to retire.  
 22 Q. Would he be about 65 then?  
 23 A. Well, he's getting close, yeah.  
 24 Q. Are you familiar with a Clifton Hill?

1 A. Clifton Hill?  
 2 Q. That ran a disposal service?  
 3 A. The name is familiar, but I can't place  
 4 him.  
 5 Q. Do you ever remember seeing anyone from the  
 6 Clifton Hill Disposal Service at the  
 7 Stickney, Tyler or Dura landfill?  
 8 A. I don't remember what kind of trucks they'd  
 9 even have.  
 10 Q. Do you remember a hauler by the name of Jim  
 11 Hill? I think he was a black hauler.  
 12 A. No.  
 13 Q. Do you ever -- do you remember anyone from  
 14 B & R Trucking or Sanitation?  
 15 A. B & R? That name is familiar, but from  
 16 where? No.  
 17 Q. Do you remember anyone from Soncraft  
 18 Disposal?  
 19 A. No.  
 20 Q. R & K Disposal?  
 21 A. Yes, ma'am.  
 22 Q. Did you ever see anyone from R & K Disposal  
 23 at the Stickney, Tyler or Dura landfills?  
 24 A. Yes, ma'am.

1 Q. How did you know they were from R & K  
 2 Disposal?  
 3 A. They usually had that big R & K on there.  
 4 Q. What kind of trucks did they have?  
 5 A. Oh, just some rear loaders.  
 6 Q. They didn't have any front loaders?  
 7 A. No.  
 8 Q. What color were the trucks?  
 9 A. Oh, I'd say a dark green.  
 10 Q. Dark green?  
 11 A. Yeah.  
 12 Q. Do you remember what color the lettering  
 13 might have been?  
 14 A. No.  
 15 Q. I'm trying to remember if there's any other  
 16 haulers. Do you remember any other haulers  
 17 that you might have seen at the Stickney,  
 18 Tyler or Dura landfills?  
 19 A. No, ma'am.  
 20 Q. Do you remember any trucks from Dana  
 21 Corporation that disposed at the Stickney,  
 22 Tyler or Dura landfills?  
 23 A. Dana? No.  
 24 Q. Spicer Manufacturing?

1 A. No, I don't remember seeing that.  
 2 Q. Any trucks from Owens-Illinois at the  
 3 Stickney, Tyler or Dura landfills?  
 4 A. No.  
 5 Q. Any trucks from Jeep Eagle Corporation?  
 6 A. Yes, ma'am.  
 7 Q. What kind of trucks did the trucks from  
 8 Jeep Eagle, what kind of trucks were they?  
 9 A. It was like a semi truck. It wasn't real  
 10 big because they used a regular Jeep pickup  
 11 truck to pull it with, so --  
 12 Q. But the --  
 13 A. But it was long like a semi.  
 14 Q. Was it as tall as a semitruck usually is?  
 15 A. No, no. It'd be a lot shorter.  
 16 Q. But it was as long as a semi, but not as  
 17 high?  
 18 A. Yeah.  
 19 Q. Do you have an idea approximately how high  
 20 the truck would be?  
 21 A. Probably six, seven foot.  
 22 Q. How do you know it was from Jeep?  
 23 A. It said Willy's right on it.  
 24 Q. What did it say, Willy's Overland?

1 A. It said Willy's.  
 2 Q. Willy's? Where did it say Willy's?  
 3 A. Right up on the truck.  
 4 Q. On the cab or --  
 5 A. Um-hmm.  
 6 Q. Did it also say it on the body of the  
 7 truck?  
 8 A. No, no. That was like a wooden stake job.  
 9 Q. So this is a wooden stake truck that is as  
 10 long as a semi --  
 11 A. Yeah.  
 12 Q. -- truck but not as tall?  
 13 A. Right. It is a semi. I mean, it's hooked  
 14 up just like a semi. It's not one whole  
 15 truck.  
 16 Q. Right.  
 17 A. It's a cab and a trailer.  
 18 Q. So the trailer -- but the trailer was a  
 19 stake bed?  
 20 A. Yeah. Well, but it was longer than a stake  
 21 bed that you would naturally think about.  
 22 Q. But it wasn't like a solid truck?  
 23 A. No, no, it wasn't solid. You could see  
 24 right through it.

1 Q. So what did -- what kind of waste did this  
2 truck haul to the landfill?  
3 A. I really couldn't tell you. I never paid  
4 that much attention.  
5 Q. What landfills did you see this truck at?  
6 A. Most of the time at the Dura landfill.  
7 Q. Did you ever see them at Stickney?  
8 A. I have seen them at Stickney, yes.  
9 Q. Less frequently than at Dura?  
10 A. Oh, yeah, a lot less frequent. I don't  
11 remember ever seeing them at Tyler.  
12 Q. But you don't remember what was in the  
13 truck?  
14 A. No.  
15 Q. Did you ever see this truck dump any  
16 drummed or liquid waste at the Dura  
17 landfill?  
18 A. No. No, I didn't.  
19 Q. At the Stickney landfill?  
20 A. No.  
21 Q. Do you remember trucks from any other  
22 companies that dumped at the Stickney,  
23 Tyler or Dura landfill?  
24 A. No, ma'am.

1 Q. Did you ever see any trucks from General  
2 Motors at the Stickney, Tyler or Dura  
3 landfill?  
4 A. No, ma'am.  
5 Q. From Ford?  
6 A. Nope.  
7 Q. American Cyanamide?  
8 A. Nope.  
9 Q. Did I ask you about whether you saw any  
10 trucks from Dupont?  
11 A. Yeah, you asked me that.  
12 Q. I'm sorry, what did you say?  
13 A. Nope.  
14 Q. Did you ever see any trucks from Vallet  
15 Paint Service at the Stickney, Tyler or  
16 Dura landfill?  
17 A. Not to my knowledge, no.  
18 Q. Did you see any trucks from any of the  
19 glass companies at the Stickney, Tyler or  
20 Dura landfill?  
21 A. No, ma'am.  
22 Q. Did you see any trucks from Texta-leather  
23 at the Stickney, Tyler or Dura landfills?  
24 A. No, ma'am.

1 Q. I know you've named a lot of the drivers  
2 from Community Sanitation Services. Why  
3 don't you give me again anyone that you can  
4 remember that was a hauler for Community  
5 Sanitation Services?  
6 A. Anyone?  
7 Q. I'm sorry?  
8 A. I said anyone.  
9 Q. Everyone that you can remember.  
10 A. Don Carmen, Don Crossman.  
11 Q. Excuse me, are these individuals that did  
12 industrial accounts or just residential?  
13 A. I don't know. They were there when I was  
14 there and they was there when I left, so  
15 they --  
16 Q. Well, why don't you go ahead and give me  
17 all of the --  
18 A. I don't know what they did after I left.  
19 Q. All right, okay.  
20 A. Nelson Olsonbaum.  
21 Q. Sir, could you also indicate if these  
22 individuals are still living? Could you  
23 read the list back?  
24 (A short recess was taken.)

1 names?)  
2 A. I have no idea.  
3 Q. And you don't know where these individuals  
4 might be located?  
5 A. No. Dick Gray.  
6 Q. Is that G-r-e-y or G-r-a-y?  
7 A. A-y.  
8 Q. And do you know if Mr. Gray is alive?  
9 A. No, I couldn't tell you that either. I  
10 still can't catch that guy's -- I've got  
11 that guy's face and I can't think of his  
12 name. We had a young lad by the name of  
13 Jerry Swiderski.  
14 Q. Is Mr. Swiderski still living?  
15 A. I'm not sure. And you have no idea where  
16 he might be located?  
17 A. No. And then we had Morawski, and you've  
18 already talked to him. Frank Morris, and  
19 this Bob Smith. Clair Cole is the guy  
20 I'm trying to think of. Clair Cole.  
21 Q. Clair Coe?  
22 A. Cole, C-o-l-e.  
23 Q. And the first name was Clair?  
24 A. Clair, yeah.

1 Q. Like C-l-a-r-e or C-l-a-i-r?  
2 A. Well, I'm not sure which way he spelled it,  
3 but --  
4 Q. Is Mr. Cole still alive?  
5 A. Oh, yes.  
6 Q. Do you know where he may be located?  
7 A. Not really, but he used to live over off of  
8 Airport Highway somewhere. I really  
9 couldn't tell you now.  
10 Q. To your knowledge is he still in the Toledo  
11 area?  
12 A. To my knowledge he is, yeah. He retired a  
13 few years back and I --  
14 Q. Lost track of him?  
15 A. Yeah. I have not seen him since.  
16 Q. Anyone else that you can remember?  
17 A. Not that I can think of, no.  
18 Q. Were you working for Community Sanitation  
19 Services when it was purchased by Waste  
20 Management -- excuse me, BFI?  
21 A. No.  
22 Q. No? What year was that?  
23 A. I don't know. I quit in '69. See, Mrs.  
24 Brown turned the company over to her son,

1 and me and him couldn't see eye-to-eye. So  
2 I decided it was time for me to go.  
3 Q. Didn't the son take over after she passed  
4 away?  
5 A. No. He took over before.  
6 Q. And what was his name again?  
7 A. David.  
8 Q. It wasn't Brown though?  
9 A. No.  
10 Q. What was the last name?  
11 A. Now that you ask me, I forgot. That's how  
12 good my mind is, and you're trying to get  
13 news out of me. David, David. Now, he's  
14 got a different last name.  
15 Q. Is there anything else that you could tell  
16 me about chemical disposal -- the disposal  
17 of chemicals at the Stickney, Tyler or Dura  
18 landfills?  
19 A. No.  
20 MS. ESTES: Let's go off the  
21 record.  
22 (The deposition was concluded at  
23 3:50 o'clock p.m.)  
24 (Signature was waived.)

## C E R T I F I C A T E

STATE OF OHIO }  
COUNTY OF LUCAS } SS.

I, Philip H. Gaines, a Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within-named witness, PAUL EUGENE DAUTERMAN, was by me first duly sworn to tell the truth, the whole truth, and nothing but the truth in the cause aforesaid; that the testimony then given by him was by me recorded by audio tape in the presence of said witness, afterwards transcribed upon a word processor, and that the foregoing is a true and accurate transcription of the testimony so given by him as aforesaid.

I do further certify that this deposition was taken at the time and place in the foregoing caption specified and was completed without adjournment.

I do further certify that I am not a relative, counsel, or attorney of any party or otherwise interested in the event of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Toledo, Ohio, on this 13th day of November, 1995.

~~PHILIP H. GAINES~~  
~~Notary Public~~  
in and for the State of Ohio.

My Commission expires February 1, 1998.